

EXTENSIONS OF REMARKS

TELECOMMUNICATIONS ACT OF 1996

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. SHIMKUS. Mr. Speaker, two years ago this week, after literally years of intense and contentious debate, the President signed into law the Telecommunications Act of 1996. Passage of this landmark legislation represented the largest overhaul of our nation's communications laws in more than 60 years. The Telecommunications Act was intended to remove long standing monopoly protections to allow customers to get long-distance service from their local phone company or local phone service from their long-distance or cable company. This historic new law would also permit customers to get many communications services—local and long distance phone service, cable and cellular service—from one company on one bill.

Many in Congress hailed this new law as the "greatest jobs bill of the decade." The President praised the law saying "customers will receive the benefits of lower prices, better quality and greater choices in their telephone and cable service, and they will continue to benefit from a diversity of voices and viewpoints in radio, television and the print media."

Unfortunately, Mr. Speaker, it's two years later and consumers have yet to see most of the benefits. What they do see are mergers and lawsuits filed by frustrated would-be competitors. Thus far the Federal Communications Commission has rejected bids by three of the former Bell Companies seeking to enter the long-distance market. In many areas, cable rates have risen and potential new competitors struggle to secure the necessary programming which is critical to their survival and growth.

The FCC has a new Chairman and three new commissioners. While I am encouraged by their public statements pledging to move forward with implementation of the Act—I am disappointed in the fact that little, if any, progress has been made. There is absolutely no reason why Americans can't start realizing the benefits of the Telecommunications Act now.

JAPAN'S OPEN MARKET COMMITMENT

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise to express my strong support for the U.S. Trade Representative's announcement of February 3, 1998, regarding Japan's Open Market Commitment. This is the first time the United States has held Japan to its publicly-stated commitments concerning its

photographic film and paper market. Eastman Kodak Company, one of America's most reputable companies, has maintained a market presence in Japan for over a century. Yet in all that time, Kodak has never received fair access to consumer markets. Kodak has consistently been forced to contend with an elaborate system of unfair and arbitrary trade barriers created by a close alliance between Japanese business and Japanese government entities. These market arrangements are aimed specifically at nurturing domestic producers at the expense of consumers and U.S. competitors. The U.S. Trade Representative's statement regarding Japan's Open Market Commitment is a clear sign that the anti-U.S. trade conditions in Japan are no longer acceptable.

Asia's current economic challenges and subsequent failures are a direct consequence of the flawed Asian economic model inspired and popularized by Japan. Japan's tradition of controlling its economy and favoring specific producers has been duplicated in countries like Korea, Indonesia and Thailand, and is now being exposed as a prescription for economic failure. Japan's economic instability is demonstrated by the collapse of its fourth-largest securities firm and tenth-largest bank within days of each other. Equally, its financial crisis has brought to light far-reaching government corruption, including a scandal which forced the resignation of Finance Minister Heroshi Mitzuka, the most powerful member of the Japanese cabinet, as well as the arrests of two of his senior ministry officials. These developments expose ever-widening collusion between the Japanese government and specific Japanese businesses. These economic and financial crises stem from Japanese inflexibility, resistance to change, and the exclusion of foreign competitors.

Japan's Open Market Commitment directly addresses the need for economic flexibility and open competition. It insists Japan fulfill its publicly-stated commitments to open its markets, to increase competition, and to end control of its economy by powerful bureaucrats. Rather than government officials bent on dictating unrealistic economic outcomes, Japan's economy must be led by free market discipline.

TRIBUTE TO ELIZABETH HEFLIN-McCLOUD

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. LEVIN. Mr. Speaker, I rise today to honor the memory of Mrs. Elizabeth Heflin-McCloud, a Royal Oak Township Trustee. Mrs. McCLOUD died in her home on January 6, 1998.

Born in Talladega, Alabama in 1918 to Oscar and Little Ywyman, Mrs. McCLOUD later moved to Michigan. Here, through her association with many community and civic organi-

zations, Mrs. McCLOUD made a difference in the lives of so many people. She served on the Library Board, Oakdale Activity Committee, New Mount Vernon Church, Business and Professional Women, AFL-CIO, Community Development Block Grant, Township Beautification Committee, and the Democratic Club of Ferndale and Royal Oak Township.

After working 38 years at Chrysler Corporation, Mrs. McCLOUD decided to enter public service, and served as a Royal Oak Township Trustee from 1992 to the present. She was a friend of so many people and of so many causes.

I ask my colleagues to join me as we extend our sincere sympathy to the friends and relatives of Mrs. McCLOUD who will always be remembered for her outstanding contributions to the world around her.

JOHN TRACY, KERN COUNTY CATTLEMAN OF THE YEAR

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. THOMAS. Mr. Speaker, I am proud to have this opportunity to recognize John Tracy of Buttonwillow, California. John Tracy, a fourth generation Kern County rancher, is the recipient of the 1998 "Kern County Cattleman of the Year" award. Kern County is one of the country's biggest agricultural counties, and cattle are one of Kern's most important products.

The Tracy family has been in Kern County over 120 years, and John is carrying on in his family's footsteps. John took over running his family's ranch when he was just 22 years old, after the death of his father. Armed with a Bachelor of Science in farm management from Cal Poly, Mr. Tracy carried on his family's proud heritage and made many innovations in the ranch's operation. Among these were reorganizing his cow-calf grazing operation into an intensive feedlot enterprise and using agricultural by-products in a scientifically balanced nutrition program, thus making conservation and recycling work.

Since taking over his family's operation nearly 30 years ago, John Tracy has become an integral and active part of the agricultural community in Kern County. He has been director of both the Kern County Cattlemen's Association and the California Beef Council. The work of John and his family with the Kern County Fair's Junior Livestock Auction has made him an outstanding role model, as well as for the young people of Kern County.

John Tracy has earned the respect and admiration of his peers and of his neighbors. He has served as Buttonwillow's honorary Mayor and last year received the Buttonwillow Peace Officers Recognition of Merit. He has been described by other ranchers as "a 21st century businessman with 19th century cattleman values."

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

As director of the California Cattlemen's Association, he has worked on behalf of other cattlemen against the inheritance tax, so that family farms, like his own, can be passed from one generation to the next. He has also worked for grazing and endangered species reform. I sometimes think that people like John Tracy should be at the top of the nation's endangered species list; he is a family rancher, struggling against nature, a tough economy, and federal encroachment, while trying to keep his family's proud heritage intact so he can pass it to the next generation.

I congratulate John Tracy on being Kern County's Cattleman of the Year.

INTRODUCTION OF THE "ON-LINE COPYRIGHT INFRINGEMENT LIABILITY LIMITATION ACT"

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. COBLE. Mr. Speaker, The "On-Line Copyright Infringement Liability Limitation Act" is being introduced to address concerns raised by a number of on-line service and Internet access providers regarding their potential liability for copyright infringement when infringing material is transmitted on-line through their services. While several judicially created doctrines currently address the question of when liability is appropriate, providers have sought greater certainty through legislation as to how these doctrines will apply in the digital environment.

In July of last Year, Chairman HENRY HYDE and I introduced a bill, H.R. 2180, to begin the discussion in this Congress on this issue. Since that time, the Judiciary Subcommittee on Courts and Intellectual Property, which I chair, has held two legislative hearings on that bill. In addition, Representative BOB GOODLATTE of Virginia, a senior Member of the Subcommittee, has invested months of his time leading negotiation sessions between on-line service and Internet access providers, telephone companies, libraries, universities and copyright owners.

This bill is the result of those hearings and negotiation sessions and represents a common base from which to begin the markup process. It does so by codifying the core of current case law dealing with the liability of on-line service providers, while narrowing and clarifying the law in other respects that all parties agree should be addressed.

This bill offers the advantage of incorporating and building on those judicial applications of existing copyright law to the digital environment that have been widely accepted as fair and reasonable. The bill takes a minimalist approach, and has been drafted in as simple a manner as possible, imposing limitations on liability without reference to specific technologies, without detailed procedures and codes of conduct, and without setting out a long list of factors that must be met in order to qualify.

The bill distinguishes between direct infringement and secondary liability, treating each separately. This structure is consistent with evolving case law, and appropriate in light of the different legal bases for the policies behind the different forms of liability.

As to direct infringement, liability is ruled out for passive, automatic acts engaged in through a technological process initiated by another. Thus, the bill essentially codifies the result in the leading and most thoughtful judicial decision to date; *Religious Technology Center v. Netcom On-line Communications Services, Inc.* In doing so, it overrules those aspects of the *Playboy v. Frena* case, inasmuch as that case might apply to service providers, suggesting that such acts could constitute direct infringement, and provides certainty that Netcom and its progeny, so far only a few district court cases, will be the law of the land.

As to secondary liability, the bill changes existing law in two primary respects: no monetary relief can be assessed for the passive, automatic acts identified in *Religious Technology Center v. Netcom On-line Communications Services, Inc.*, and the current criteria for finding contributory infringement or vicarious liability are made clearer and somewhat more difficult to satisfy. In a change from the bill as introduced, additional criteria are no longer included. Injunctive relief will, however, remain available, ensuring that it is possible for copyright owners to secure the cooperation of those with the capacity to prevent ongoing infringement.

Finally, the various safeguards that were included in the bill as introduced are incorporated in the substitute, as modified to reflect comments and suggestions submitted by interested parties. These safeguards include language intended to guard against interference with privacy; a provision ensuring that non-profit institutions such as universities will not be prejudiced when they determine that an allegedly infringing use is fair use; a provision protecting service providers from lawsuits when they act to assist copyright owners in limiting or preventing infringement; and a provision requiring payment of costs incurred when someone knowingly makes false accusations of on-line infringement.

SECTION-BY-SECTION ANALYSIS

Paragraph 512(a)(1) exempts a provider from liability on the basis of direct infringement for transmitting material over its system or network at the request of a third party, and for the intermediate storage of such material, in certain circumstances. The exempted storage and transmissions are those carried out through an automatic technological process that is indiscriminate—i.e., the provider takes no part in the selection of the particular material transmitted—where the copies are retained no longer than necessary for the purpose of carrying out the transmission. This conduct would ordinarily include forwarding of customers' Usenet postings to other Internet sites in accordance with configuration settings that apply to all such postings. It would also include routing of packets from one point to another on the Internet.

This exemption codifies the result of *Religious Technology Center v. Netcom On-line Communications Services, Inc.*, 907 F. Supp. 1361 (N.D. Cal. 1995) ("*Netcom*"), with respect to liability of providers for direct infringement. See *id.* at 1368–70. In *Netcom* the court held that a provider is not liable for direct infringement where it takes no "affirmative action that directly results in copying . . . works other than by installing and maintaining a system whereby software automatically forwards messages received from subscribers . . . and

temporarily stores copies on its system." By referring to temporary storage of copies, *Netcom* recognizes implicitly that intermediate copies may be retained without liability for only a limited period of time. The requirement in paragraph 512(a)(1) that "any copy made of the material is not retained longer than necessary for the purpose of carrying out that transmission" is drawn from the facts of the *Netcom* case, and is intended to codify this implicit limitation in the *Netcom* holding.

Paragraph 512(a)(2) exempts a provider from any type of monetary relief under theories of contributory infringement or vicarious liability for the same activities for which providers are exempt from any liability for direct infringement under paragraph 512(a)(1). This provision extends the *Netcom* holding with respect to direct infringement to remove monetary exposure for claims arising under doctrines of secondary liability. Taken together, paragraphs (1) and (2) mean that providers will never be liable for any monetary damages for this type of transmission of material at the request of third parties and for intermediate storage of such material. Copyright owners may still seek an injunction against such activities under theories of secondary liability, if they can establish the necessary elements of a claim.

Paragraph 512(a)(3) similarly exempts a provider from monetary relief under theories of contributory infringement or vicarious liability for conduct going beyond the scope of paragraph (1), where a provider's level of participation in and knowledge of the infringement are low. Such conduct could include providing storage on a server and transmitting material from such storage in response to requests from users of the Internet. In addition, the provision modifies and clarifies the knowledge element of contributory infringement and the financial benefit element of vicarious liability. Even if a provider satisfies the common-law elements of contributory infringement or vicarious liability, it will be exempt from monetary liability if it satisfies the criteria in subparagraphs (A) and (B). As under paragraph (2), copyright owners may still seek an injunction even if the provider qualifies for the exemption from monetary relief.

The knowledge standard in subparagraph (A) is nearly identical to that used in the bill as introduced, and is intended to be functionally equivalent. In addition to actual knowledge, it includes "information indicating that the material is infringing." This would include a notice or any other "red flag"—information of any kind that a reasonable person would rely upon. It may, in appropriate circumstances include the absence of customary indicia of ownership or authorization, such as a standard and accepted digital watermark or other copyright management information. As subsection (b) makes clear, the bill imposes no obligation on a provider to seek out such red flags. Once a provider becomes aware of a red flag, however, it ceases to qualify for the exemption and, under existing law, it may have a duty to follow up.

This standard differs from existing law, under which a defendant may be liable for contributory infringement if it knows or should have known that material was infringing.

The financial benefit standard in subparagraph (B) is intended to codify and clarify the

direct financial benefit element of vicarious liability as it has been interpreted in cases such as *Marobie-FL, Inc. v. National Association of Fire Equipment Distributors*, F. Supp. (N.D. Ill. 1997). As in *Marobie*, receiving a one-time set-up fee and flat periodic payments for service from a person engaging in infringing activities would not constitute receiving "a financial benefit directly attributable to the infringing activity." Nor is subparagraph (B) intended to cover fees based on the length of the message (per number of bytes, for example) or by connect time. It would, however, include any such fees where the value of the service lies in providing access to infringing material.

The number of factors required to establish eligibility for the exemption under the bill is two, as compared with six under the bill as originally introduced. Several of the original factors were rendered unnecessary because direct infringement and secondary liability are no longer combined in a single exemption. In addition, the reduced number of factors reflects an effort to further simplify the bill, and to avoid further contention over the specific formulation of several of the factors.

INTRODUCING A BILL TO CONVEY ADMINISTRATIVE AND OTHER LANDS IN THE GEORGE WASHINGTON AND JEFFERSON NATIONAL FORESTS

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. GOODLATTE. Mr. Speaker today I introduced a bill to convey administrative and other lands in the George Washington and Jefferson National Forests and to utilize the value derived therefrom to acquire replacement sites where appropriate and for suitable improvements for National Forest administrative purposes.

In addition, my bill grants authority for the Forest Service to sell 200 acres of land adjacent to U.S. Interstate 64 to the Allegheny Highlands Economic Development Authority via the Commonwealth of Virginia for purposes of developing a corporate area catering to high-tech companies. It will be named Innovation Park.

Innovation Park should prove to have a positive economic impact by bringing high-tech jobs to those living in rural areas. This project will not only address a need for good, high paying jobs, but also for additional transportation, water and wastewater system development and improvement.

An environmental impact review is currently underway. Preliminary results indicate that Innovation Park will not adversely impact any habitats for plant or animal life. A public notice of the environmental assessment was issued in January and not a single complaint has been registered.

My bill also transfers the Natural Bridge Juvenile Correction Center from the Forest Service to the Commonwealth of Virginia along with nearly twenty other administrative land tracts or land tracts that lost their natural forest character because of proximity to U.S. Interstate 64.

The Forest Service is fully supportive of the land transfers and have been cooperative in

this attempt to gain transfer authority. They believe that the property included in my bill is more conducive to economic development than forest management and therefore are anxious to remove it from their need-to-manage inventory.

I would like to offer special recognition to Glynn Lopp, the Executive Director of the Allegheny Highlands Economic Development Authority. The Innovation Park project would not have made it as far as it has without his perseverance and enthusiasm.

This is just the first step in a long journey to bring major economic and high-tech development to the Allegheny Highlands as well as the greater area of Rockbridge, Bath, Botetourt and Craig counties. I am proud to introduce this bill, I am confident of its success and look forward to being of continued assistance in the Innovation Park project.

TRIBUTE TO THE HONORABLE RONALD V. DELLUMS

SPEECH OF

HON. PAUL MCHALE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. MCHALE. Mr. Speaker, twenty-five years ago, when I was a student participating in the American University Washington Semester program, I would sit in the gallery and watch with wonder the speeches of Congressmen like Pete McCloskey, Andy Jacobs and Morris Udall. I remember distinctly watching a young, idealistic, compassionate, hard driving, newly elected member of Congress fighting for the causes in which he so deeply believed. We honor him today.

A quarter of a century later, RON DELLUMS retains all of the wonderful qualities of leadership and decency he brought to the House in 1971. To my great benefit, during the intervening years, he has also become my friend.

Speaking out against apartheid in 1966, Senator Robert Kennedy said, "Each time a man stands up for an ideal or strikes out against injustice, he sends forth a tiny ripple of hope * * *."

RON DELLUMS' message of hope and peace has guided this chamber and inspired his colleagues for nearly three decades. No man could leave a finer legislative legacy.

RON, you retire with the respect and great admiration of your fellow legislators, and of this friend. Our nation is and ought to be very grateful for your service. *Semper Fi.*

BIRTHDAY TRIBUTE TO AL ZAMPA, BUILDER OF BRIDGES—OVER WATER AND THROUGHOUT THE COMMUNITY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. MILLER of California. Mr. Speaker, I rise today to invite my colleagues to join me in wishing a very happy birthday to Mr. Al Zampa of Crockett, California, who will be 93 years old on March 12.

Al Zampa is a truly remarkable man who has left his mark on his community in more

ways than one. As an ironworker from 1927 through 1970, Al personally contributed to one of the San Francisco Bay Area's most distinctive characteristics, its bridges. Starting with construction of the Carquinez Bridge in Crockett, Al's career included work on the Oakland-San Francisco Bay Bridge, the San Mateo Bridge, the Richmond-San Rafael Bridge, the Benicia Bridge and, of course, the Golden Gate. In the autumn of 1936, Al became a member of the "Half-Way-to Hell Club" when he fell from the Golden Gate Bridge and lived to tell about it. Many of his friends and colleagues believed that that fall would end his career as an ironworker and a builder of bridges, but the day he was released from the hospital he returned to the Gate to climb the bridge that had nearly killed him.

But Al Zampa contributed to more than just our community's infrastructure, he also helped to shape a generation of its residents. Al was a major force in the creation of the Tri-City Baseball League, making positive recreational opportunities available to hundreds of youth. As the League's Vice President and a team coach for six years, Al helped shape the lives of many of our young people, and this is perhaps his most lasting tribute.

Again, I invite my colleagues to join me in recognizing the life of an incredible citizen, and wishing Al Zampa a happy and healthy 93rd birthday.

DAYCARE FAIRNESS FOR STAY-AT-HOME PARENTS

SPEECH OF

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Mr. LEVIN. Mr. Speaker, during the debate on H. Con. Res. 202, my colleague Mr. GOODLING said that he wanted "just again to remind everyone" that the Republicans had "provided \$4 billion more than the President asked for" to fund child care. This was part of the effort to demonstrate a Republican commitment to child care.

I feel compelled to correct the record. The additional \$4 billion being spent on child care is not more than the President asked for. Rather, it is more than was provided under previous law.

Indeed, the main reason for the additional money for child care beyond previous law is that the President insisted upon it, and when the Republicans resisted providing adequate funding for child care as part of the program to move people from welfare to work, the President was forced to veto that version. After the veto, the Republicans agreed to join with Democrats to increase the funds provided for child care, and the President signed the improved legislation into law.

NATIONAL RETAIL SALES TAX ACT OF 1997

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today to speak on one effort

Congress should fully consider which promises to bring true tax relief for all Americans. There is no such thing as a good tax.

Will Rogers once said, "The income tax has made liars out of more Americans than even golf." Those who are most familiar with the Internal Revenue Service, the agency charged with enforcing the income tax code, agree.

Former IRS Commissioner Fred Goldberg said, "The IRS has become a symbol of the most intrusive, oppressive and non-democratic institution in our democratic society." Former Commissioner Shirley Peterson concurred, "we should repeal the Internal Revenue Code and start over."

Indeed, this is the principle objective of the National Retail Sales Tax Act of 1997 (H.R. 2001), which has been introduced in Congress by my Colorado colleague and good friend U.S. Representative DAN SCHAEFER. The plan is predicated upon the repeal of the Constitution's Sixteenth Amendment, which was ratified in 1913 and gave Congress, for the first time, power to impose an income tax.

Income taxes and the IRS would be replaced with a 15 percent federal sales tax on the final purchase of goods and services at the retail level. The rate would decline in future years to 10 to 12 percent as economic growth allows more revenue to be raised at a lower rate and downsizing continues.

According to Mr. SCHAEFER's plan, no income would be taxed until it is consumed. Capital gains and interest income would not be taxed as long as that income is reinvested. Deductions would no longer be a relevant concept under a sales tax. Taxpayers, not the government, would get first crack at their paychecks.

Any business required to collect and remit the sales tax would keep 0.5 percent of tax receipts to offset federal compliance costs, and nothing used to directly or indirectly produce a good for retail consumption would be taxed. The burden of proof would lie with the government in any dispute with a taxpayer.

Mr. SCHAEFER's plan also includes a personal consumption refund to ensure that the basic necessities of life remain tax free. Every wage earner would receive a refund equal to the sales tax rate multiplied by the poverty level (adjusted for the number of dependents claimed) in every paycheck. As a result, every wage earner will earn up to the poverty level tax free.

Though there are several other relevant provisions of the plan, perhaps its biggest appeal is the elimination of the IRS and the need to file tax returns. This year, taxpayers will spend well over \$600 billion in accounting, legal, and processing costs, and 5.4 billion hours just to complete their tax forms.

These costs, along with the cost of income taxation itself, are currently passed along to consumers concealed in the purchase price of all goods and services, including food, medical supplies and housing. Moreover, the graduated income tax punishes economic success, and discourages investment.

No one should be led to believe that the National Retail Sales Tax Act will ever make tax-paying a pleasant experience. After all, no one is proposing to abolish taxation.

Mr. SCHAEFER is, however, the first to acknowledge that his proposal requires much more discussion and he anticipates many more revisions. He points out though that just about any criticism that applies to his plan

doubly applies to the current income tax structure. But as to the sales tax, there are just far fewer of them.

LYNELLE ECHEVERRIA KERN
COUNTY CATTLEWOMAN OF THE
YEAR

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. THOMAS. Mr. Speaker, it gives me great pleasure to congratulate a truly exemplary individual, Lynelle Echeverria, upon being named the 1998 Kern County Cattlewoman of the Year. The Kern County cattle industry has bestowed this award upon Lynelle because of her superb achievements in the beef industry as well as her contributions to the community.

Lynelle has devoted many years supporting the beef industry at both local and state levels. She chairs the highly successful fund-raiser titled "The Celebration of Western Culture", which is held every year in Kern County. She also has led the Kern County Cattlewomen's Association and is a member of the scholarship committee for the California Cattlewomen. Her long-time involvement and dedication to the industry deserves recognition.

It did not take long for Lynelle to know that she was born to be a cattlewoman. She joined the renowned girls riding group, "the Wranglerettes" at age 11 and performed with them until she was 21. She went on to Cal Poly, majoring in biological sciences with an emphasis on Botany.

In addition to her untiring commitment to the industry, Lynelle also contributes to her community. She is a notable Western artist who has painted, taught and participated in art shows across the country. She has been an active member of the Women Artists of the West for the past 10 years. Somewhere in between she found time to raise a family along with her husband Matt, who is Senior Vice-President of the Tejon Ranch Company and President of the California Cattlemen's Association. They have two children, Debbie and Michael.

Lynelle Echeverria is a remarkable woman who aptly fits the role of Cattlewoman of the Year. She embodies the spirit and dedication of family in one of the West's most historic industries. She has dedicated her life to the cattle industry but also to her family and community. I am proud to congratulate her on being named the Kern County Cattlewoman of the Year.

COPYRIGHT COMPULSORY LICENSE IMPROVEMENT ACT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. COBLE. Mr. Speaker, I am pleased to introduce the "Copyright Compulsory License Improvement Act." This bill will improve the copyright compulsory license for satellite carriers of copyrighted programming contained on television broadcast signals by applying to

such carriers the same opportunities and rules as their cable competitors. This competitive parity will lead to increased exposure of copyrighted programming to consumers who will pay lower prices for cable and satellite services which deliver programming to their homes. These lower prices will result from the choices consumers will have in choosing how they want their television programming delivered. Mr. Speaker, I know I speak for many of the Members in this House when I assert that creating competition in the video delivery market is the key to more choice and lower prices for our constituents.

The Copyright Act of 1976 bestowed on cable television a permanent compulsory license enables that industry to rebroadcast network and superstation signals to cable television viewers without requiring cable operators to receive the authorization of thousands of copyright owners who have an exclusive right to authorize the exploitation of their programs. The cable operators pay a set fee for the right to retransmit and the monies collected are paid to the copyright owners through a distribution proceeding conducted under the auspices of the United States Copyright Office.

In 1988, Congress granted a compulsory license to the satellite industry. Although the cable and satellite compulsory licenses have similarities, there are important differences which I believe prevent satellite becoming a true competitor to cable. Technology has changed significantly since the cable and satellite compulsory licenses were created. In a very short time, satellite carriers will be able to bring local programming through their services to viewers of that local market. The time has come to take a comprehensive look at the satellite compulsory license as it relates to the long-term viability and competitiveness of the satellite television industry. The satellite compulsory license is set to sunset in December of next year, and the Federal Communications Commission has reported that in areas where there is no competition to cable, consumers are paying higher cable rates. We must act for our constituents to level the playing field in a manner that will allow both industries to flourish to the benefit of consumers.

To that end, the "Copyright Compulsory License Improvement Act" makes the following changes to the Satellite Home Viewer Act:

It makes the satellite compulsory license permanent, just like the cable compulsory license.

It allows new satellite customers who have received a network signal from a cable system within the past three months to sign up for satellite service for those signals. This is not allowed today.

It allows satellite carriers to retransmit a local television station to households within that station's local market, just like cable does.

It reforms the current structure of the administrative body which determines rates and distributions applicable to all copyright compulsory licenses to make it cheaper and more efficient for the parties.

In order to create parity for the above new opportunities for satellite carriers by reforming the license, the bill must also create corresponding regulatory parity between the satellite and cable industries, including must-carry rules, retransmission consent requirements, network non-duplication protection, syndicated

exclusivity protection, and sports blackout protection. These regulations will apply after a period of time in which the Federal Communications Commission can carefully consider and tailor their implementation. Until that time, the portions of the satellite compulsory license which determine who is eligible to receive network and superstation signals from satellite carriers will continue to apply just as they do now.

I note that under the provisions of this bill the current state of the law (and as expressly stated in section 12(b), the unserved household provisions of current law) shall remain in effect until such time as the Commission makes determinations pursuant to section 12 of the bill regarding implementation of network nonduplication protection and other protections. I am troubled by the suggestion of some that the introduction of this legislation may form the basis of an attempt to postpone or alter the outcome of pending court proceedings regarding enforcement of the current unserved household provisions. This legislation is not intended to diminish the effect of existing law. Parties subject to the unserved household provisions of the current Section 119 license are expected to comply fully with those provisions as they currently exist, and, of course, I reject any suggestion that courts should decline to enforce or postpone enforcing existing law because Congress is debating whether to change it. The notion that parties need not comply with laws that may be changed in the future is an invitation to lawlessness which I firmly reject.

This is a forward-looking bill which will create an incentive for companies to develop the means by which to provide local programming to local markets over satellite systems. I am committed to working with Representative BILLY TAUZIN, Chairman of the Commerce Subcommittee on Telecommunications, Trade and Consumer Protection, and with Representative TOM BLILEY, Chairman of the full Commerce Committee, on the regulatory provisions in this bill. Their leadership and partnership has been and will continue to be invaluable and necessary in guaranteeing true competition between the satellite and cable industries.

I also want to recognize the leadership and care that Senator ORRIN HATCH, Chairman of the Senate Committee on the Judiciary, has paid to the development of this important bill. We have worked together closely on its provisions and I know he is committed, as I am, to assuring fair competition through this legislation. I look forward to continuing our work together as our bills move through both bodies of the Congress.

Let me make clear that this bill is a compromise, carefully balanced to ensure competition. I believe it contains the balance necessary to allow this bill to become law this session and I urge all interested parties to join us in a constructive discussion of this very important legislation.

Following is a brief section-by-section which explains the bill in more detail:

SECTION 1

The title of the bill is the "Copyright Compulsory License Improvement Act."

SECTION 2

Section 2 of the bill amends the section 119 satellite carrier compulsory license of the Copyright Act to create a statutory licensing scheme that permits satellite carriers to

provide their subscribers with local and distant television broadcast signals, as well as the national satellite feed of the Public Broadcasting Service. Satellite carriers may retransmit any television broadcast signals to subscribers for private home viewing, provided that such retransmissions are in compliance with the rules and regulations of the Federal Communications Commission. Such compliance would include syndicated exclusivity, sports blackout and network nonduplication protection for broadcasters, as required by section 12 of the bill.

Section 2 requires satellite carriers to provide initial and updated lists to local television stations identifying subscribers in the local television station's area who receive satellite service and the names of the network stations provided to those subscribers. This will allow television stations to preserve their network nonduplication rights provided in section 12 of the bill.

Section 2 prohibits satellite carriers from willfully altering the programming contained on television broadcast signals and the PBS national satellite feed that carriers retransmit. In addition, satellite carriers are prohibited from unlawfully discriminating against a distributor of satellite retransmitted broadcast programming, and any such unlawful discrimination constitutes an act of copyright infringement subject to the penalties of chapter 5 of the Copyright Act. It is also copyright infringement for a satellite carrier to fail to submit a statement of account and royalty fee necessary to obtain the satellite compulsory license.

SECTION 3

Section 3 of the bill creates the terms and conditions of the satellite compulsory license. Carriers must submit a statement of account and royalty fee to the Copyright Office on a semiannual basis for subsequent distribution to copyright owners. The royalty fee for retransmission of distant television broadcast stations, and the PBS national feed, is the royalty fee in effect on date of enactment of the bill for retransmission of distant broadcast signals. There is no royalty fee for television broadcast signals that are retransmitted to subscribers who reside within the local markets of such signals.

The remainder of section 3 continues the provisions of the existing law by prescribing how the royalty fees are collected and maintained for distribution, and how copyright owners of works contained on retransmitted television broadcast signals and the PBS national feed may claim royalties.

SECTION 4

Section 4 of the bill contains definitions of terms used in section 119 compulsory license. Most of the definitions in the existing law are carried forward. New provisions include a definition of "designated market area" and "local market" for determining royalty-free local retransmissions of broadcast signals, and a definition of new PBS national feed.

SECTION 5

Section 5 of the bill carries forward the provision of existing law maintaining exclusivity of the satellite license with the cable compulsory license of the Copyright Act, found at 17 U.S.C. 111. That is, a satellite carrier making secondary transmissions of television broadcast signals, and the PBS national feed, for private home viewing may only do so under the terms of section 119 license, and may not invoke the terms of the section 111 cable license.

SECTION 6

Section 6 of the bill contains a conforming amendment amending the table of contents of chapter 1 of the Copyright Act.

SECTION 7

Section 7 of the bill completely revises chapter 8 of the Copyright Act, replacing the current Copyright Arbitration Royalty Panels with a Copyright Royalty Adjudication Board.

New section 801 of the Copyright Act establishes the Copyright Royalty Adjudication Board within the U.S. Copyright Office.

New section 802 of the Copyright Act establishes the membership and qualifications of the Board. New section 802(a) establishes that the Board should be comprised of one full-time Chief Administrative Copyright Judge and at least two part-time Administrative Copyright Judges. It is left up to the discretion of the Librarian of Congress, upon the recommendation of the Register of Copyrights, to determine how many other part-time Administrative Copyright Judges the Board shall have. The determination should be based on how many judges the Board will need to conduct its business in a timely manner.

New section 802(b) requires that the Chief Administrative Copyright Judge be an attorney with ten or more years of legal practice and have experience either in administrative hearings or court trials, and a demonstrated knowledge of copyright law. Other Administrative Copyright Judges must possess expertise in the business and economics of industries affected by the actions the Board takes.

New section 802(c) provides that the term of all Administrative Copyright Judges shall be five years on a staggered basis so that no more than one term is due to expire in any one year. To achieve this, the Librarian of Congress, upon the recommendation of the Register of Copyrights, shall appoint some of the initial Administrative Copyright Judges to shorter than five year terms.

New section 802(d) provides compensation for the Administrative Copyright Judges at the Senior Level in accordance with the provisions of 5 U.S.C. 5376.

New section 803 of the Copyright Act provides for selection of the Administrative Copyright Judges. New section 803(a) provides that the Librarian of Congress, upon the recommendation of the Register of Copyrights, selects the Administrative Copyright Judges. The Librarian may only select those persons found qualified under section 802(b) and found to meet the financial conflict of interest standards adopted under section 805(a). The Librarian may re-select, without limit, Administrative Copyright Judges to additional terms. Section 803(b) provides that actions taken by the Board during those times will be valid, notwithstanding any temporary vacancy.

New section 804 of the Copyright Act provides for the independence of the Board. New section 804(a) provides that the Board shall have decisional independence on the substantive matters before it. Administrative Copyright Judges are neither to receive performance appraisals nor are they to be assigned duties inconsistent with their duties and responsibilities as Administrative Copyright Judges.

New section 805 of the Copyright Act provides for removal and sanction of the Administrative Copyright Judges. New section 804(a) provides that the Register of Copyrights shall adopt regulations regarding the standards of conduct that Administrative Copyright Judges are expected to maintain.

New section 804(b) provides that the Librarian, upon the recommendation of the Register of Copyrights, may remove or sanction a Administrative Copyright Judge of the Board, upon notice and opportunity for hearing, for violation of any of the standards of conduct adopted under section 804(a).

New section 806 of the Copyright Act provides for the functions of the Board. New section 806 enumerates the rate setting, royalty

distribution, and rulemaking functions that are delegated to the Board. The Board determines the rates for: cable retransmission of broadcast signals, the making and distributing of phonorecords by means other than digital phonorecord delivery, satellite carrier retransmission of broadcast signals, and the importing and distributing or manufacturing and distributing of digital audio recording devices.

The Board determines the rates and terms for: public performance of a sound recording by means of a digital audio transmission; the making and distributing of phonorecords by means of a digital phonorecord delivery; the public performance of music on jukeboxes; the use of music and visual works by public broadcasting entities; and the transmission to the public by a satellite carrier of a primary transmission of a public telecommunications signal.

The Board accepts or rejects claims filed by copyright owners to royalties deposited with the Copyright Office in the cable fund, the satellite carrier fund, and the digital audio recording fund. Then, for those claims that the Board accepts, the Board determines how much each claimant should receive from those funds.

The Board has jurisdiction to decide, when petitioned, if a particular digital audio recording device or digital audio recording interface device is subject to the provisions of chapter 10 for paying a royalty on the distribution of such devices.

The Board also has certain rulemaking authority concerning the filing of claims, the notice and record keeping requirements pertaining to some of the compulsory licenses, and the Board's own procedures.

New section 807 of the Copyright Act sets out the actors for determining the royalty fees for the section 114, 115, 116, 118 and 119 compulsory licenses of the Copyright Act. The section also lists the factors that the Board shall take into account when determining or adjusting royalty rates.

New section 808 of the Copyright Act provides for the institution of royalty distribution and rate adjustment proceedings under the compulsory licenses. New section 808 instructs the Board when proceedings shall occur, and whether the proceedings require a petition to initiate them or whether they commence automatically.

New section 809 of the Copyright Act describes the conduct of royalty distribution and rate adjustment proceedings. New section 809(a) provides that the Board shall conduct its proceedings in accordance with the Administrative Procedure Act. New section 809(b) provides that the Board shall adopt its own rules of procedures upon the approval of the Register of Copyrights. New section 809(c) authorizes the Copyright Office, in its discretion, to file formal pleadings with the Board on any matter pending before the Board. All Copyright Office pleadings shall be formally filed and served on all the parties to the proceeding. The Board may accept or reject the advice of the Copyright Office.

New section 809(d) provides that all actions of the Board are by majority rule. New section 809(e) allows the Board the discretion to determine whether, in a particular proceeding, one or three Administrative Copyright Judges should preside. New section 809(f) permits all parties whose claims are accepted or who have an interest in the royalty rate to be set to participate in the proceeding and submit relevant proposals and evidence.

New section 809(g) provides that, except as provided in sections 118 and 119(c), the time limit for the issuance of initial decisions in proceedings with one presiding Administrative Copyright Judge shall be six months from the declaration of the controversy, and the time limit for initial decisions in pro-

ceedings with three presiding Administrative Copyright Judges shall be one year from the declaration on the controversy.

New section 809(h) provides that the initial decision shall contain the same level of reasoned decision-making that is required under the Administrative Procedure Act, and take into account precedent of the decisions of the Copyright Royalty Tribunal, the copyright arbitration royalty panels and the decisions of the Librarian of Congress made in respect to the copyright arbitration royalty panels.

New section 809(i) provides the parties to the proceeding and the Register of Copyrights an opportunity to petition the entire Board to reconsider any initial decision issued by its presiding Administrative Copyright Judge or Administrative Copyright Judges. If there are no petitions for reconsideration, the initial decision becomes the final decision automatically. If there are petitions for reconsideration, the entire Board considers the petition, and issues a final decision. The final decision of the entire Board constitutes a final agency action. Section 809(j) provides that the time limits for filing petitions for reconsideration, and for the entire Board to issue the final decision shall be determined by regulation.

New section 809 of the Copyright Act provides for judicial review of Board determinations. New section 810(a) provides that when the initial decision becomes the final decision, the Board shall have one week to publish the final decision in the Federal Register. Parties aggrieved by the decision of the Board shall have 30 days from the appearance of the final decision in the Federal Register to appeal the decision to the United States Circuit Court of Appeals for the Federal Circuit. In that case, the Board shall be the defending party, and the Chief Administrative Copyright Judge shall refer the conduct of the Board's defense to the Department of Justice. Notwithstanding the pendency of any appeal, persons who would pay the royalty rates adjusted by the Board's decision are still obligated to pay the adjusted rate and, if applicable, to file a statement of account with the Copyright Office.

New section 810(b) provides that judicial review of the Board's final decision is in accordance with the Administrative Procedure Act.

New section 811 delineates various administrative matters related to administration of the compulsory licenses. New section 811(a) instructs the Librarian of Congress, upon the recommendation of the Register of Congress, to provide the Board with the necessary administrative services and personnel support it needs.

New section 811(b) delegates to the Board the authority to publish in the Federal Register notices of the Board's actions in its proceedings, and such regulations as the Board has been delegated the exclusive right to adopt. New section 811(c) authorizes the Register of Copyrights to deduct from the royalty fees deposited with the Copyright Office the reasonable costs incurred by the Copyright Office and the Board. In rate-making proceedings, the reasonable costs of the Copyright Office and the Board shall be borne by the parties to the proceeding in such manner and proportion as the Board directs.

New section 811(d) provides that notwithstanding any ceiling imposed on the full-time equivalent positions in the Library of Congress, the Administrative Copyright Judges or employees in support of the Board do not count in the calculation of that ceiling.

New section 811(e) provides that when the Register of Copyright submits to Congress the budget of the Copyright Office, the Reg-

ister shall identify the portion intended for the Board with a statement assessing the Board's budgetary needs.

Section 811(f) provides that the Board shall prepare its own annual report and it shall be included in the Copyright Office's annual report.

SECTION 8

Section 8 of the bill provides that, prior to the constituting of the Board, the Register of Copyrights shall adopt the Board's rules of procedure, but that when the Board is constituted, it may adopt supplemental or superseding regulations, upon the approval of the Register of Copyrights.

The section also provides that copyright arbitration royalty panels that have already been convened at the time of the passage of this act may continue and complete their proceeding, unless the Register of Copyrights, finds for good cause, that the proceeding should be discontinued. For those proceedings that continue, the report of the copyright arbitration royalty panels shall be submitted to the Librarian of Congress, or the Librarian may, in his discretion, direct the panel to submit the report to the Board. If there are any appeals pending of a decision of a copyright arbitration royalty panel that are eventually remanded by the Court, the remanded case shall go to the Board, not to a reconvened copyright arbitration royalty panel.

SECTION 9

Section 9 of the bill contains conforming amendments to substitute the Copyright Royalty Adjudication Board for the copyright arbitration royalty panels and the Librarian of Congress wherever appropriate.

SECTION 10

Section 10 amends the section 325 of the Communications Act to provide that satellite carriers must in certain circumstances obtain retransmission permission from a broadcaster before they can retransmit the signal of a network broadcast station. Like the regime applicable to the cable industry, network broadcasters are afforded the option of either granting retransmission consent, or they may elect must-carry status as provided in section 11 of the bill. All satellite carriers that provide local service of television network stations must obtain either retransmission consent of the local broadcasters, or carry their signals subject to the must-carry provisions.

Section 10 does exempt carriage of certain broadcast stations from the retransmission consent requirement. Retransmission consent does not apply to noncommercial broadcasting stations, and superstations that existed as superstations on January 1, 1998. Also exempt from the retransmission consent requirement is retransmission of a network station to a household that is not subject to the network nonduplication protection provided in section 12 of the bill. The purpose of this provision is to allow subscribers who reside in the designated market area of a network affiliate, but do not live in an area where the relevant local stations can request network nonduplication (assuring that a subscriber does not or cannot otherwise receive the signal of the local affiliate) to obtain a distant signal of the same network from their satellite carrier.

Section 10 also directs the Federal Communications Commission, within 45 days of enactment of the bill, to commence a rule-making proceeding to adopt regulations governing the exercise of retransmission rights for satellite retransmissions for private home-viewing.

SECTION 11

Section 11 of the bill creates must-carry obligations for satellite carriers retransmitting television broadcast signals. The provisions are similar to those applicable to the

cable industry. Any satellite carrier that retransmits a television broadcast signal to subscribers residing within the local market of that signal must carry all the television stations in the local market to subscribers residing in the local market. This approach of "carry one, then carry all" is subject to the retransmission consent election of section 10 of the bill. Thus, a satellite carrier does not have to carry a local television broadcast station if the station elects retransmission consent rather than must-carry. The "local market" of a broadcast station is defined as the station's Designated Market Area, as determined by Nielsen Media Research.

Section 11 tracks the cable must-carry provisions of the 1992 Cable Act by relieving satellite carriers from the burden of having to carry more than one affiliate of the same network if both of the affiliates are located in the same local market. Local broadcasters are also afforded channel positioning rights, and are required to provide a good quality signal to the satellite carrier's principal headend in order to assert must-carry rights. Satellite carriers are forbidden from obtaining compensation from local broadcasters in exchange for carriage. Section 11 also provides a means for broadcasters to seek redress from the Federal Communications Commission for violations of the must-carry obligations.

SECTION 12

Section 12 of the bill directs the Federal Communications Commission, within 45 days of enactment of the bill, to commence rule-making proceedings to impose network nonduplication protection, syndicated exclusivity and sports blackout protection on satellite retransmissions of television broadcast signals for private home-viewing. The regulations adopted are to be similar to those currently in force for retransmissions of television broadcast signals by cable systems. In adopting network nonduplication protection rules, the Commission is directed to adopt rules that permit satellite carriers to provide distant network signals to subscribers who reside within the designated market area of a network station affiliated with the same network but who cannot receive an over-the-air signal of the local affiliate, and further do not receive the local signal from a cable or satellite service. The purpose of this provision is to prevent local affiliates from asserting network nonduplication protection against subscribers who legitimately cannot or otherwise do not receive the local network affiliate signal. Thus, if the satellite carrier serving a subscriber provides him/her with the local affiliate for that designated market area, the satellite carrier may not also provide such subscriber with distant network signals affiliated with the same network.

ON-LINE COPYRIGHT INFRINGEMENT LIABILITY LIMITATION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce, along with Representative HOWARD COBLE (R-NC)—my good friend from North Carolina and Chairman of the Judiciary Subcommittee on Courts and Intellectual Property—the "On-Line Copyright Infringement Liability Limitation Act." I would like to thank Chairman COBLE for asking me to lead the ne-

gotiations between the various parties on this issue, and also for his support through this process.

The issue of liability for on-line copyright infringement, especially where it involves third parties, is difficult and complex. For me personally, this issue is not a new one: during the 104th Congress, then-Chairman Carlos Moorhead asked me to lead negotiations between the parties. Although I held numerous meetings involving members of the content community and members of the service provider community, unfortunately we were not able to resolve this issue.

At the beginning of the 105th Congress, Chairman COBLE asked me to again lead the negotiations between the parties on this issue. As a starting point, we asked the parties involved to submit written comments on H.R. 2180, the "On-Line Copyright Liability Limitation Act," introduced by Chairman COBLE and Chairman HENRY HYDE. We then used those comments as a basis for a discussion draft, which I had hoped to offer as a substitute to H.R. 2180 during Subcommittee consideration of the legislation.

Comments on the first discussion draft led to a second discussion draft, in which I, along with my staff, Chairman COBLE's staff, and Ranking Member BARNEY FRANK's staff, attempted to combine suggestions from both sides into a bill that the parties could support. While both sides attempted to work within the structure of H.R. 2180, it became clear to us that the path we were on would not result in a resolution of this issue.

The bill introduced today marks a new beginning of this process. The "On-Line Copyright Infringement Liability Limitation Act" is intended as a codification of the decision in *Religious Technology Center v. Netcom*, 907 F. Supp. 1361 (N.D. Cal. 1995), in which the Court held that an Internet access provider was not directly liable for copyright infringement committed by a bulletin board subscriber. While I do not yet have a proposal that I can say is supported by both sides of this debate, I am not currently aware of any opposition to the principles adopted by the Court in *Netcom*.

It is my hope that this new bill will encourage the parties involved in this issue to come together and agree on a solution. I do not see the introduction of this bill as the end of negotiations on the issue of liability for on-line copyright infringement; to the contrary, I believe that it will further the negotiations by beginning with basic principles on which the parties can agree. Undoubtedly both sides will want to see changes made to this legislation, and I am committed to continuing to work with the parties in the hope of reaching a successful resolution to this issue.

I would additionally like to discuss the importance of the World Intellectual Property Organization treaties, and the accompanying implementing legislation, which are critical to protecting U.S. copyrights overseas. The United States is the world leader in intellectual property. We export billions of dollars worth of creative works every year in the form of software, books, videotapes, and records. Our ability to create so many quality products has become a bulwark of our national economy, and it is vital that copyright protection for these products not stop at our borders. International protection of U.S. copyrights will be of tremendous benefit to our economy—but we

need to ratify the WIPO treaties for this to happen.

Mr. Speaker, this is a critical issue to the development of the Internet, and I believe that both sides in this debate need each other. If America's creators do not believe that their works will be protected when they put them on-line, then the Internet will lack the creative content it needs to reach its true potential. And if America's service providers are subject to litigation for the acts of third parties at the drop of a hat, they will lack the incentive to provide quick and efficient access to the Internet.

The "On-Line Copyright Infringement Liability Limitation Act" will not solve every problem posed by the content and service provider communities. I do believe, however, that this bill is a good first step towards reaching consensus on this issue, and I encourage the parties involved to work together to create a mutually beneficial solution.

TRIBUTE TO MARY ZANDER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. LEVIN. Mr. Speaker, I rise today to recognize Mary Zander, Sterling Heights City Clerk, on the occasion of her retirement from the City of Sterling Heights, Michigan.

Ms. Zander served her City for twenty years as the City Clerk. During her two decades of dedicated service, the City of Sterling Heights has grown from a population of 61,000 in 1967 to 123,000 in 1997, now the sixth largest city in the state. Ms. Zander's leadership was critical during this period of both incredible population growth and technological advancements which have revolutionized the local clerk's office.

Ms. Zander was the Director for the International Institute of Municipal Clerks, a distinguished position that only one other clerk in the world has served in for two terms. She also received special recognition as "Clerk of the Year" from the Michigan Municipal League. As President of the Michigan Municipal League's Clerks Association, First Vice-President of the Michigan Association of Clerks and a lifetime member of the Academy of Advanced Education, Ms. Zander was a leader in her field.

Mr. Speaker, in an era of valuing efficient, customer-oriented government, Mary Zander's work for the City of Sterling Heights deserves our recognition. I am pleased to join with the residents of Sterling Heights, as well as local government officials, in thanking Mary Zander, my friend and the friend of so many others, for her years of dedicated and personal service and in extending best wishes for a healthy and happy retirement.

PUBLIC SCHOOL EDUCATION

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today in recognition of the

greatest gift we can give to our children—the gift of a strong and viable education.

Both my parents being educators, I grew up surrounded by reminders of how important public education is in America. As a parent myself of three school-aged children attending public schools in Fort Collins, I understand the value of liberal access to community schools and academic professionals.

Indeed, the reason I have devoted nine years in the Colorado State Senate and my first year in the United States Congress to improving the quality of local public schools is because I am convinced my parents were right. The future strength of the Republic lies in the hands of a well-educated citizenry.

Clearly, parents bear the primary responsibility for educating their children. Public school districts were established by states to assist, and it is at the state level, and under state constitutions that public school systems are properly organized. In Colorado, the management of public schools is entrusted to 176 locally-elected boards.

As a member of the House Committee on Education and the Workplace, I face routinely those who would dismantle America's traditions of local control and parental authority with respect to educating kids. Their preference always seems to entail centralizing education authority in Washington, D.C. as a way to address any shortcomings of America's schools.

The White House, for example, is working to abandon independent standardized testing in favor of a government-owned national test. The administration has already engaged the early stages of developing a national curriculum.

The Federal government actually has no Constitutional authority to manage public schools, but it gets around that barrier by handing out lots of cash. With every federal dollar comes strings. Of course, no school is forced to take the money, but few can resist.

Deploying such strategies, the federal government has found ways to influence almost every aspect of public schooling from the design of new school buildings, to the qualifications of teachers, to students' diets. Rarely do these tactics improve the quality of education, but more often only suppress the ability of local schools and teachers to do the jobs for which they are best trained.

My strenuous objections to various schemes to centralize education authority in Washington have at times been misinterpreted by my political foes to suggest I am somehow "anti-education." Quite the opposite is true.

My firm resistance to federalizing public schools is based entirely on my belief that public schools should be decentralized, local, parent-drive, student-centered, efficient institutions which offer competitive services enabling students to be the world's best.

We would all do well to remember that the most valuable gift we can give to any child is a quality education. As both a father, and a member of Congress, ensuring an effective public school system will continue to be among my chief objectives.

IN COMMEMORATION OF SAINT DAVID'S DAY

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. LEWIS of California. Mr. Speaker, I rise today to honor Saint David, the Welsh Patron Saint. Many of my friends and colleagues may not know that I am of Welsh descent—but then again maybe my name, Lewis, gives me away. I am very proud of the Welsh blood running through my veins. What American wouldn't be if he knew just how many great Americans were also Welsh! Let me take a moment to share some interesting facts with you.

Did you know that twenty percent of our Pilgrim Fathers were Welsh? Almost fifty percent of the signers of the American Declaration of Independence were also Welsh or of Welsh heritage—as were nine of the Presidents of the United States, including John Adams, Thomas Jefferson, James Madison, James Monroe, John Quincy Adams and Abraham Lincoln. There are just too many great Welsh-Americans to name!!

Another interesting fact I would like to share with you pertains to Saint Patrick, the Patron Saint of Ireland. Did you know that Saint Patrick was really a Welshman? As a boy of sixteen, Patrick was taken from the Welsh village where he was born by an Irish slave trading party. He was a slave in Ireland until the age of twenty-two, when he escaped and returned to Wales. Later, he became a priest and was sent back to Ireland where the Welshman Patrick became revered as Saint Patrick of Ireland.

When you are in Washington, D.C., the more athletically-inclined Welsh among you might like to hike half-way up the stairs in the Washington Monument to read an inscription there: "Fy Iait, Fy Ngwlad, Fy Nghenedl, Wales—Cymru Am Byth." My language, my country, my nation, Wales—Wales forever!

On March 1st, Welsh Americans across the Nation will honor the birth of Saint David, the Patron Saint of Wales. At the Welsh Presbyterian Church in Los Angeles, the Welsh Choir of Southern California will give its premiere performance, conducted by famous, Welsh-born Hollywood composer Michael Lewis! I know that this concert will be a treat for all who hear it. I only wish I could be present!

I would say to my colleagues, let us all remember that March 1st is the birthday of Saint David, the Patron Saint of Wales.

COMMENDING THE SCHOOLS OF BASEL, SWITZERLAND, ON THE HOLOCAUST EDUCATION PROGRAM IN PUBLIC SCHOOLS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. LANTOS. Mr. Speaker, I would like to ask my colleagues to join me in commending the public schools of the Canton and City of Basel, Switzerland, on the comprehensive program of Holocaust education which has been adopted for their public schools.

Much has been written and said about the outrageous behavior of some Swiss banking executives with regard to deposits of gold and other valuables by Holocaust victims during the period before and during World War II, but little attention has been focused on the outstanding degree to which the people of Basel and other Swiss cities and cantons have assumed the responsibility of teaching Swiss children about the horrors of the Holocaust. By making this a communal priority, they have determined to never let such atrocities take place again.

The schools of Basel address the subject of the Holocaust with children of all ages, at all academic levels and in a wide variety of disciplines, primarily in history and in German language and culture classes. In the *Wieterbildungsschule* (elementary schools), young people learn about the fate of children in the Third Reich, the resistance efforts against Nazi occupation, and other introductory topics ranging from a basic understanding of anti-Semitism to the existence of ghettos, concentration camps, and Hitler's Final Solution.

In the secondary level (Grades 5–9) adolescents encounter a wealth of documentary material dealing with anti-Semitism and the murder of the Jews, including *The Diary of Anne Frank*, the new reader *Bilder in Kopf* (Pictures in the Head), and numerous short stories which provide an assortment of different approaches to the Holocaust. In *Gymnasiums* (high schools), older student face an even more comprehensive and substantive treatment of the topic. They survey various theories dealing with the development and forms of anti-Semitism, as well as an analytical and unprejudiced look at their own country's position during World War II. Such syllabus topics include thoughtful subjects such as "The Refugee Question in the Second World War and Neutrality."

Mr. Speaker, the people of Basel have recognized the truth of the oft-quoted Santayana observation, "Those who cannot remember the past are condemned to repeat it." Their schools are helping to raise a new generation of citizens unfettered by hatreds and prejudices of the past, a people that can use the painful lessons of decades ago to engender tolerance and understanding in the future. It is my pleasure to recognize and to commend the fruitful efforts the people of Basel.

TRIBUTE TO SAM JOHNSON "OPERATION HOMECOMING" 25TH ANNIVERSARY

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. DOOLITTLE. Mr. Speaker, today, Thursday, February 12, 1998 marks the 25th anniversary of Operation Homecoming, the day on which the first group of heroes whose experience as prisoners of war ended as they were released from captivity in North Vietnam. Our colleague, Representative SAM JOHNSON was one of those heroes.

SAM JOHNSON began his 29-year career in the United States Air Force after realizing his love for adventure and his love of flying. Although his training prepared him for the war,

his training did not prepare him for what he had to endure next. On April 16, 1966, SAM's F-4 was shot down over North Vietnam. It took only seconds for the enemy to capture SAM, but it took nearly seven years for SAM to see his wife, three children and his home again.

The enemy tried to break SAM JOHNSON on numerous occasions, but SAM was unbreakable. His faith in God and his strong will to live enabled him to survive. SAM was an officer, a leader, and a teacher. He would secretly communicate with the new prisoners that were brought into Hanoi, teaching them how to survive. These were the qualities of a true leader, risking his life to protect his fellow man.

SAM JOHNSON is a fighter. He fought for his country, his family and his faith. As a member of Congress, SAM valiantly wages this fight today—for all of us.

Today we honor the heroes who endured the horrible pain and suffering as prisoners of war. Today is a celebration of SAM JOHNSON's strength and courage. He demonstrated an unflinching devotion to duty, honor, and country. Let us commemorate SAM and all American POWs for their courage and determination in upholding the principles of freedom and democracy.

“EQUALITY FOR ISRAEL AT THE
UNITED NATIONS ACT OF 1998”

HON. STEVE R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. ROTHMAN. Mr. Speaker, today I rise to introduce the “The Equality for Israel at the United Nations Act of 1998.” With the strong support of over 60 original co-sponsors, including both the Chairman and Ranking Member of the House International Relations Committee, this bill seeks an end to the institutional discrimination Israel has faced at the United Nations for far too long.

Specifically, this bill requires that the Secretary of State report on actions taken by our Ambassador to the United Nations to encourage the nations of the Western Europe and Others Group (WEOG) to accept Israel into their group.

The bill also calls on the Secretary of State to solicit and receive responses from each of the nations of WEOG on their position concerning Israel's acceptance into their organization. In this manner, Congress can know which nations are supporting Israel's admittance to WEOG and which nations are opposed.

As many of my colleagues are already aware, the State of Israel has been a member of the UN since 1949. But what my colleagues and the American public might not know is that Israel is the only long-standing member of the United Nations to be denied acceptance into any of the organization's five regional blocs.

Membership in a regional bloc is critical because it is a prerequisite for any nation to serve on the powerful Security Council or other key U.N. bodies such as the Economic and Social Council. Due to its exclusion from a regional bloc at the United Nations, the State of Israel has been precluded from fully participating in the workings of that world body.

This amounts to institutional discrimination against Israel at the United Nations.

The real story here is two-fold: On the one hand there are Arab states who have denied Israel the consensus vote it needs to join its natural, geographic, regional bloc—the Asian bloc. On the other hand, there are the member states of the Western Europe and Others Group, otherwise known as the WEOG regional bloc, who have failed to embrace Israel's request to temporarily join their grouping.

This is where the United States must step up and show true leadership. And this is why I have introduced “The Equality for Israel at the United Nations Act of 1998.”

WEOG, to which the U.S. belongs, is one of the five regional blocs at the United Nations. Other non-European countries: Western-style democracies such as Canada and Australia already belong to the WEOG. Israel would be a perfect fit, at least temporarily.

The issue is not whether Israel deserves to be treated as an equal among nations, it surely does. The challenge is how to achieve equality at the United Nations. World-wide recognition of Israel as an equal at the United Nations would be the right message to send now to help advance the struggling Middle East peace process.

But this is not just an Israel issue, this is a United Nations issue. And clearly, Israel's acceptance into the WEOG would be a welcome sign of real reform taking place at the United Nations.

There already has been a groundswell of support in the U.S. Congress for this issue. Seventy-six Members of Congress, many of whom serve on the House International Relations Committee, joined me and Representative ILEANA ROS-LEHTINEN last year in sending letters to the member states of the WEOG, asking them to allow Israel to join the WEOG as a temporary member.

Secretary of State Madeleine Albright and our Ambassador to the United Nations, Bill Richardson, both agree that this issue needs to be pursued. In fact, Ambassador Richardson told me personally that he will work to “re-dedicate U.S. efforts on this issue.”

Supporting Israel's right to be a full member of the United Nations is the right thing to do. We owe no less to Israel, a strong U.S. ally, and to the United Nations, whose credibility is threatened if all countries are not treated as equals.

For these reasons, I ask my colleagues to lend their support for “The Equality for Israel at the United Nations Act of 1998.”

TRIBUTE TO ROBERT
RAUSCHENBERG

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. LAMPSON. Mr. Speaker, it is with tremendous pride that I recognize a native of Port Arthur, Texas who has gone forth into the world and become a legend in the world of art. Robert Rauschenberg is the first American to win the prestigious Venice Biennale Grant Prize, as well as the first living American artist to have his work published on the cover of Time Magazine. In a career that has spanned

the latter half of this century, Robert Rauschenberg's groundbreaking work has been included in the most prestigious collections and won awards around the world.

Robert has used his artistic voice to benefit humanitarian causes. He created the first Earth Day poster in 1970. In 1990, he established the Robert Rauschenberg Foundation to promote medical research, education, the environment, and to aid the hungry and homeless in the United States and across the globe.

This weekend, Robert Rauschenberg will be honored in Houston for the greatness of his life's work. Though Robert left Port Arthur to seek his fortune in the world, he is a symbol of the greatness that lurks within each child. A child who grows up among oil refineries became one of the most important artists of his generation. He is a native of our area and we are duly proud, but we know that Robert Rauschenberg, through his work, belongs to the world and to the ages.

TRIBUTE TO LEVI PEARSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. CLYBURN. Mr. Speaker, I rise today during Black History Month to pay tribute to a true pioneer, Levi Pearson. As today is the 89th anniversary of the founding of the National Association for the Advancement of Colored People, I should note that he was President of the Clarendon County, SC, branch of the NAACP. However, it is the work he did as an ordinary citizen from a small county in South Carolina for which he should be remembered.

Last week, I paid tribute to the 20 plaintiffs of *Briggs v. Elliott*. Those plaintiffs were the foundation on which the case of *Brown v. Education of Topeka* was based that eventually won the battle of public, desegregated education in our nation. Today, I pay tribute to the man who took the first courageous step on that very long road.

In 1947, the search was on in Clarendon County for a parent who had the courage to test the legality of the discriminatory bus transportation practices that were the norm. Pearson had three children who attended Scotts Branch school nine miles from their home with no public transportation. On July 28, he signed a petition asking that “school bus transportation be furnished, maintained and operated out of public funds in School District Number 26 of Clarendon County South Carolina for use of the said children of your Petitioner and other Negro school children similarly situated.” The petition was submitted to the local school board chairman and the secretary of the State Board of Education by the Reverend Mr. Joseph Albert DeLaine, a prominent Clarendon County schoolteacher. No response was given.

After 8 months of silence, Pearson's attorneys filed a brief in the United States District Court. In the brief, they cited the “irreparable damage” Pearson's children suffered from being denied the free bus service to which white children were entitled. The case was dismissed saying Pearson has no legal standing because his farm straddled the line between the school district where he lived and where his children went to school.

Pearson's courageous stand made him a hero among his friends in the community, but a villain to his foes. Because he dared to question the status quo, the white community cut off the credit Mr. Pearson needed for farm supplies and refused to buy goods raised on his farm. Despite the severe hardships placed on Pearson and his family, he stood his ground and remained in Clarendon County with his family as many black families moved north.

Although his name is not on the list of 20 petitioners in the landmark case of *Briggs v. Elliott*, Pearson was the driving force that led to equal education for all. Mr. Speaker, I ask that you join me today in paying tribute to Levi Pearson for he is indeed a pioneer, a hero and an outstanding American.

—
A TRIBUTE TO THE ARROWHEAD
CHRISTIAN ACADEMY EAGLES

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. LEWIS of California. Mr. Speaker, I rise today to honor the accomplishments of the Arrowhead Christian Academy (ACA) 1997 varsity football team of Redlands, CA. On December 13, 1997, the ACA Eagles made history by winning the 1997 CIF-Southern Section Division XII Championship, thus becoming the first team to win back-to-back CIF championships in San Bernardino County, CA. The Eagles' remarkable season was further highlighted by being ranked fifth in the state by Cal-Hi Sports in Division V.

Despite competing against several higher division teams, the Eagles racked up a total of 567 points over the course of the season and won four shut-out games. With their renowned offense scoring an average of 40 points per game that their unmovable defense holding its opponents to an average of just 14 points per game, it is no surprise that the Eagles ended their season with a remarkable record. 11-3.

Special recognition is in order for Head Coach Dan Finrock, Assistant Coaches Drew Rickert, Dave Wiseman, Dave Marshall, Jon Burgess, Nate Finrock, and Trainer Ben Mulder for their leadership and service. Additional congratulations go to Coach Finrock for being named CIF Southern Section Division XII Coach of the Year for the second year in a row.

Many of the Eagles were honored with awards. CIF All-Southern Section awards included: First Team—Dan Jeffers (Defensive line), and Second Team—Steve Wharry (Linebacker). All Southern-Section CIF Division XII awards included: Offensive Player of the Year: Jonathan Reed (Fullback), and Defensive Player of the Year: Dan Jeffers (Defensive Tackle). Other All CIF selections included: Brandon Camacho (Nose Guard), Danny Schaper (Offensive Tackle), Ben Ballard (Quarterback), and Trevor Wilson (Wingback).

First Team All Christian League selections were: Trevor Wilson (MVP), Steve Wharry (Defensive MVP), Brandon Camacho (Nose Guard), Ben Ballard (Quarterback), Jonathan Reed (Fullback), Robbie Ramos (Corner Back), Dan Jeffers (Offensive Tackle), and Joe Ramos (Corner Back).

Second Team All Christian League selections were: Allan Kavalich (Center), Carl

Overholt (Wing Back), Robbie Ramos (Wing Back), D.J. Gallagher (Tight End), Danny Schaper (Offensive Tackle). Honorable mention: Nick Selle (Offensive Tackle), Steve Hale (Tight End), and Ben Gradias (Tight End).

Other members of the 1997 Eagle championship team include: Robbie Whittenburg, Jeff Harry, Israel Marshall, Will Kimble, Chad Aldaco, Ben Foster, Jeremy McAllister, Joey Morrison, Paul Avila, Jacob Southworth, Noah Rivera, Nick Goldtry, Bryan Traynmham, Gavin Fort, Danny Paul, Chris Hardin, Steve Avila, Daniel Meers, Nik Kreutzer, Tim Mason, and Jared Richards.

Mr. Speaker, I ask that you join me, our colleagues, the team's families and many friends in honoring the 1997 Arrowhead Christian Academy football team. It truly has been yet another unforgettable season for the Eagles and it is only fitting that the House recognize them today.

—
INTRODUCTION OF THE MEDICARE
MANAGED HEALTH CARE SUN-
SHINE ACT OF 1998

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. SHAW. Mr. Speaker, I rise today to introduce legislation that will require health maintenance organizations (HMOs) under Medicare to disclose certain information to individuals who subscribe to an HMO, or who are a prospective subscriber to an HMO.

Specially, my bill would require an HMO to provide Medicare subscribers or prospective subscribers with a description of the medical education and training received by the HMO's physicians, the physicians' history of domestic or foreign medical practice, and the position each physician currently holds in the HMO. In addition, my bill would require an HMO to disclose to subscribers upon request its audited financial statements, as well as the salaries of its five highest paid executives. Any promotional material by the HMO would state that the above information is available upon request. Overall, my bill would allow Medicare HMO subscribers to scrutinize their HMO's financial condition to ensure that quality health care delivery is being achieved.

It is time for HMOs, who receive federal dollars and ask for the trust of our nation's seniors, to be open and candid about their operations. It is time for Medicare HMO subscribers to benefit from efficient management. It is time we allowed a little sunshine into our nation's Medicare HMOs.

Mr. Speaker, my bill builds on the reforms passed last year as part of the Balanced Act of 1997 (Public Law 105-33). Those reforms gave HMO subscribers greater protection by giving them access to pertinent information about HMOs. This bill is also similar to a bill I introduced in the last Congress, H.R. 2249.

I urge my colleagues to join me in supporting this important legislation.

VICE PRESIDENT GORE EMPHASIZES BIOSCIENCE AND COMMITMENT TO RESEARCH AND EXPERIMENTATION TAX CREDIT IN VISIT TO GENENTECH, INC. OF SOUTH SAN FRANCISCO, CALIFORNIA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. LANTOS. Mr. Speaker, it is my great pleasure to report to my colleagues about the visit of our Vice-President, AL GORE, who is a former colleague of many of us here in this house. I had the pleasure of joining the Vice President on Thursday, January 29, 1998, for his visit to Genentech, Inc., which is located in the city of South San Francisco in the heart of my congressional district. Genentech is an innovative pioneer in the significant and increasingly important universe of biotechnology.

Mr. Speaker, Vice-President GORE's visit serves as an exclamation point—not only to the necessity of federal investment in the exciting, path-breaking research and development that will lead us into the 21st century, but also to the humanitarian nature of biotechnology as practiced by outstanding companies such as Genentech. By supporting research and development such firms conduct, we are aggressively fighting against cancer, prevailing against both rare and common diseases, and rallying against those intrepid enemies of our times that we have come to know as heart-disease, stroke, and diabetes, among others. In short, by supporting research and development, we are improving the quality of the lives of all Americans.

I would like to take this opportunity, Mr. Speaker, to bring to the attention of my colleagues the highlights of the remarks of Vice-President GORE in relation to the specific accomplishments of Genentech, Inc., which were made during the meeting at the corporate headquarters during our visit.

Genentech serves as a unique and commendable model for the high-tech industry. As Vice-President GORE pointed out, "Here at Genentech, you have taught us another lesson: in the 21st Century, research and experimentation—innovation and ingenuity—is about our livelihoods as well as our lives." In these remarks, Vice-President GORE referred to both the high-wage levels of the high-tech industry, as well as the high-tech industry's status as one of the largest employers in the United States. The fostering of the high-tech industry spurs economic growth and a healthy and vital job market that benefits whole communities.

Vice-President GORE also referred to the Administration's proposal in its annual budget to extend the \$2.2 billion Research and Experimentation (R&E) Tax Credit from June 30th, 1998 to June 30th, 1999. The extension of this tax credit is especially encouraging to the growing Bay Area bioscience industry and to all of our high tech industries which depend upon the R&E Tax Credit to make their extensive and dynamic research feasible. By allowing firms such as Genentech to claim a credit against their federal taxes for a portion of their extensive research and development costs, we in the federal government are taking a critical step to ensure new, high-wage jobs in the

next century. As Vice-President GORE estimated, "Here at Genentech alone, it will mean 150 new jobs for Californians."

Importantly, Mr. Speaker, the R&E Tax Credit not only promotes a healthy economy, it also stimulates additional research and experimentation. The savings gained by the biotechnology companies from the R&E Tax Credit allows them to meet significant human medical needs as expediently as possible. Genentech is a leader among United States firms in its unequivocal commitment to research and development investment, spending almost 50% of its total sales revenues on continuing research and development activities. The emphasis on research has, in part, enabled Genentech to offer the world a special insight into the disease of breast cancer. Approximately 45,000 women in the United States are affected by breast cancer every year. With the help of a new Genentech product, Herceptin, which is currently in the final clinical trial phase for the Federal Drug Administration (FDA), we may soon be able to fight cancer at a molecular level—a new and very promising breakthrough.

Genentech has completed its Herceptin research and is compiling data for the new drug application for FDA approval. The company hopes that Herceptin will be as successful as their drug Retuxin, which the FDA approved in November and is currently a significant weapon to patients battling non-Hodgkins lymphoma, a type of cancer which attacks the lymph nodes. The development of drugs such as Herceptin and Retuxin, however, come with a heavy price tag, as the average research cost for any one drug can cost over \$360 million.

Despite this expenditure, Genentech works hard to make its drugs available to patients, and it is my distinct pleasure to commend one of Genentech's humanitarian operations, its Uninsured Patient's Program. Through this program, Genentech is committed to make its market products available despite the limits of a patient's government or private insurance. Essentially, to the extent that a patient cannot afford a product, it is provided to them free of charge.

During his visit to Genentech, Vice-President AL GORE re-iterated the Administration's commitment to research with the 21st Century Research Fund, the "largest investment in civilian research and development in American history." The scientific community works together to produce the miraculous science that gives us our current technology and medical innovations. This 21st Century Research Fund includes the highest-ever increases in the budgets of the National Institute of Health and the National Science Foundation. As Vice-President GORE proclaimed, "Taken together, the \$31 billion in the 21st Century Research Fund will help us to cure deadly diseases; to find new sources of clean energy . . . to build the next generation of the Internet, moving 1,000 times faster than the current one; and to continue to explore the heavens."

I am extremely impressed by the efforts of Genentech and the biotechnology industry in the Bay Area. I have always believed that Genentech is a special place, a different kind of company, and I was pleased that Vice-President GORE commented upon the fact that of all the corporations he has visited, he had

not seen the diversity of faces that he observed at Genentech. And, as a federal legislator, I was especially affected by Vice-President GORE's words that, "In fact, Genentech's 3,200 jobs might not be here at all if our federal government had not invested in the research that led to the discovery of the DNA."

It is a meaningful and significant chain that connects our country to the high-tech industry, and Vice-President GORE wisely discerned that "More research and development means higher productivity, rising wages, and lower costs throughout our economy." Mr. Speaker, I thank my colleagues in this House for their efforts in support of funding research and development which has helped to move our country forward and make possible the exciting breakthroughs in science and technology which have furthered the progress of all of mankind.

It is with tremendous sense of excitement about the future and a profound hope that I urge my colleagues to join me in applauding the efforts of Genentech, Inc., and other American companies which are leaders in the scientific world through whose work we will step into the next century with strength, with courage, and with knowledge.

A HEARTFELT THANK YOU TO THE SHERMAN CONGREGA- TIONAL CHURCH

HON. SCOTTY BAESLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. BAESLER. Mr. Speaker, I rise today to offer my heartfelt thanks and continuing gratitude to the Sherman Congregational Church in Sherman, Connecticut, and indeed, my thanks to the entire town of Sherman, Connecticut.

Last March, Kentucky was struck by one of the worst natural disasters in recent memory. After nights of rain, streets became canals and roadways became rivers. Cars and trucks competed with boats and rafts for the right of way. Flood waters transformed neighborhood parks into tributaries as nature ran amok.

Members of the Sherman Congregational Church saw pictures of the devastation in Paris, Kentucky, and throughout Bourbon County, Kentucky. Their hearts went out to the families without homes, and the children without toys. The Church and the town of Sherman reached out to us—calling the Paris/Bourbon County Chamber of Commerce and offering their assistance. Truckloads of supplies were sent to help out the residents of Paris and Bourbon County. The response from Sherman was so great that Paris and Bourbon County were able to share those supplies with surrounding communities in need.

But the generosity did not end when the flood waters receded. In November, members of the Sherman Congregational Church called again, asking for the names, ages, and addresses for the families who were victims of the flood. More than 30 boxes arrived from Sherman containing gifts for 59 families, and the 119 children who lost so much in the flood.

Tragedies are eyeopening. They reveal a great deal about the human spirit. They teach

us about the value of things we often take for granted in our fast-paced workaday world. Natural disasters have a way of changing our smug assumptions about being self-made people who can live to ourselves and by ourselves. They teach us the value of friends and neighbors.

Centuries ago, someone asked the question, "who is my neighbor?" Although the word comes from an old English word meaning "near dweller," the proximity of people does not define neighborliness. It is the proximity of the human heart during a moment of crisis that perhaps defines it best.

I speak for thousands of Kentucky residents when I say that we are grateful that the town of Sherman reached out to us—as their neighbor. We are grateful for your friendship and for your concern, and we will never forget you.

DAYCARE FAIRNESS FOR STAY- AT-HOME PARENTS

SPEECH OF

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Ms. DEGETTE. Mr. Speaker, as one of just a handful of mothers in the 105th Congress with young children, I know how difficult it is to find quality, affordable child care. That is why this resolution is particularly important to me. We must be supportive of parents who have the ability to stay home with their children and can afford to forgo a second income. However, the majority of American families with working parents rely on child care to help them care for their children.

Quality child care is critical for many families in this country. I am concerned that this resolution (H. Con. Res. 202) misrepresents how many children of preschool age have mothers in the labor force who rely on someone else to help them care for their children. The resolution includes statements which suggests that child care is not an issue for most American families. As families struggle to make ends meet, the reality is more parents are working full time, part time or looking for work than ever before. As a result, 60% of preschool aged children have mothers in the work force. The correct statistics demonstrate that quality, safe and affordable child care is vital for most American families. Even parents who forego an extra income often rely on child care, like parents day out programs, to help them. In 1996, 78% of all four year old were in non-parental care at least some part of the week.

Congressional legislation must address the needs of both working and stay at home parents to provide them with quality, safe and affordable child care regardless of their economic situation. A family where both parents work should not have to compromise its children's well-being due to poor child care choices. The ultimate goal of this Congress should be helping families, whatever their situation, provide the best possible care for their children. We need to support ALL parents in their child care choices.

PROTECTING AMERICAN TAXPAYERS FROM IRS SEIZURES

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. McKEON. Mr. Speaker, I rise today to introduce important legislation to protect American taxpayers from wrongful and unnecessary IRS seizures.

My bill creates an independent panel of tax attorneys, certified public accountants, and enrolled agents to review all proposed IRS seizures. This panel would determine whether there are more appropriate means of collecting the unpaid taxes and will ensure that IRS agents have complied with the regulations related to seizures. Without approval of a majority of the panelists, IRS agents will not have the ability to place levies on taxpayers' homes, salaries, or assets.

In January, I held IRS forums in my district and was shocked to hear the horror stories in the testimonies of my own constituents. One after the other, stories of unwarranted pressure and direct intimidation of IRS agents were told, many of which included cases of seizures. In several situations, the agents also failed to adhere to established rules and regulations. Clearly, greater oversight of this abusive IRS practice is critical, and I have introduced this bill in response to the disturbing experiences many of my constituents have endured.

We have all witnessed the alarming stories of our fellow Americans before the Senate Finance Committee this fall. It was evident that in many cases levies and seizures have favored devices used to measure employee performance for status and promotion purposes, not for the interest of the taxpayer. More often than not, IRS agents have been pushed by their superiors to initiate more seizures to achieve promotions within the agency. As a result of new IRS procedures, the same superiors are now responsible for directly approving seizures for unpaid federal taxes.

Nearly 80% of Americans feel that the IRS has too much power. And while taxpayer rights are beneficial in many ways, they often do not go far enough. Without the means of enforcing these rights, the IRS will retain much of its power and American taxpayers will be forced to tolerate more abuses by the IRS.

Mr. Speaker, with this bill, Congress can respond to the problems the IRS has with seizures and levies that have ruined the lives of a great number of American taxpayers. The independent panel created in this bill will make the IRS accountable by stopping questionable seizures before they occur.

INTRODUCTION OF THE FARM SUSTAINABILITY AND ANIMAL FEEDLOT ENFORCEMENT ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. MILLER of California. Mr. Speaker, today I introduce legislation to address the most important source of water pollution facing our country—polluted runoff. A major compo-

nent of polluted runoff in many watersheds is surface and ground water pollution from concentrated animal feeding operations (CAFOs), such as large dairies, cattle feedlots, and hog and poultry farms. Under current Clean Water Act regulations, CAFOs are supposed to have no discharge of pollutants, but as a result of regulatory loopholes and lax enforcement at the state and federal levels, CAFOs are in reality major polluters in many watersheds. My bill, the Farm Sustainability and Animal Feedlot Enforcement (Farm SAFE) Act addresses these deficiencies. I hope my colleagues will join me in trying to address this significant threat to water quality and human health.

Included for the RECORD is an article from the San Francisco Chronicle describing water quality problems caused by dairies in the San Joaquin Valley of California. Contaminants associated with animal waste have also been linked to this summer's outbreak of *Pfiesteria* in Maryland and the death of more than 100 people from infection by cryptosporidium in Milwaukee. Although considered point sources of pollution under the Clean Water Act, little has been done at the federal or state levels to control water pollution from CAFOs.

In recent years, many family farms have been squeezed out by large, well capitalized factory farms. Even though there are far fewer livestock and poultry farms today than there were twenty years ago, animal production and the wastes that accompany it have increased dramatically during this period. And although farm animals annually produce 130 times more waste than human beings, its disposal goes virtually unregulated.

Farm SAFE will require large livestock operations to do their part to reduce water pollution. The bill will lower the size threshold for CAFOs, substantially increasing the number of facilities that will have to contain animal wastes. It will require all CAFOs to obtain and abide by a National Pollution Discharge Elimination System (NPDES) permit. The bill improves water quality monitoring, recordkeeping and reporting so that the public knows which CAFOs are polluting. Farm SAFE addresses loopholes in the current regulatory program by requiring CAFOs to adopt procedures to eliminate both surface and ground water pollution resulting from the storage and disposal of animal waste. The bill also directs EPA, working with USDA, to develop binding limits on the amount of animal waste that can be applied to land as fertilizer based on crop nutrient requirements.

This legislation will restore confidence that we can swim and fish in our streams and rivers without getting sick. It will do much to address our number one remaining water pollution problem—polluted runoff. I hope the House will join me in the effort to clean up factory farm pollution.

[From the San Francisco Chronicle, July 7, 1997]

PAGE ONE—IN CENTRAL VALLEY, DEFIANT
DAIRIES FOUL THE WATER

(By Elliot Diring, Chronicle Staff Writer)

Central Valley dairies routinely defy pollution laws—fouling rivers and groundwater with waste from their cows—and state regulators say there is little they can do about it.

California is now the nation's leading dairy state, and most of the cows are in the Central Valley, creating as much natural waste as a city of 21 million. Yet the state agency

that is supposed to make sure they don't pollute the water has just one man on the job.

There is no telling how many miles of creek are being ruined, or how much drinking water could be lost to contaminants spreading silently underground. Regulators themselves are the first to admit that the situation is going from bad to worse.

While dairy herds keep growing, officials at the Central Valley Regional Water Quality Control Board say that most of the valley's 1,600 dairies have never been inspected and that probably fewer than half follow the law.

"Individually and cumulatively, (dairies) pose a significant threat to surface and groundwater," concluded a 1995 report to the board urging a sixfold increase in regulatory staff.

"We were barely scratching the surface," said Larry Glandon, a dairy inspector who has since retired, leaving just one. "We knew it. Everybody knew it."

The unchecked pollution attests to the considerable muscle of California's leading agribusiness.

Statewide, a million-plus cows churn out \$3 billion worth of milk and cream a year, nearly twice the earnings of the state's No. 2 crop, grapes. In the past six years, dairy groups have contributed more than \$700,000 to state election campaigns, most of it to incumbents in the Legislature.

"Dairies have been rather untouchable," said Glandon, who was with the board for 16 years. "They have a lot of political significance in Sacramento. It's kind of understood."

Some dairies do their best to contain their wastewater—a rich brine of manure, urine and water that is supposed to be stored in a leak-resistant lagoon, then used to irrigate crops.

The idea is to recycle the wastes right on the farm. As long as there is enough cropland, and not too many cows, potentially harmful nutrients in the wastewater can be captured by the plants. In the right quantities, the nutrients don't harm the crops, but help them grow.

But all too often, regulators say, there are too many cows or not enough crops. Then, dairies simply let their wastes overflow—onto neighbors' fields, into roadside ditches, into creeks that feed rivers already degraded by other pollutants.

Perhaps a greater worry, they say, are findings not yet released suggesting a steady but invisible poisoning of water underground.

Industry spokesmen deny that violations are widespread.

"If they're saying they don't have the staff to go out and monitor, how can they make the statement that half are not in compliance? I question the accuracy of that statement," said Gary Conover of Western United Dairymen, the state's biggest dairy lobby.

"Over the last 20 years, the industry has come a long way to meeting its obligations under the law," Conover said. "I think all in all, the dairy has done a very good job of controlling their wastes."

Yet some dairy owners readily concede that in the grueling seven-day-a-week business of raising and milking cows, what's coming off the back end of the dairy is often little more than an afterthought.

"There's no way with the price of milk we get that we can afford to meet these rules," said one. "If they made all dairymen in California do that, I think milk prices would skyrocket."

The real problem, insist regulators, is power and money.

In 1988, when the Legislature set annual waste fees for factories, sewage plants and other dischargers, dairies were granted an

exemption. Instead, they pay a one-time fee of no more than \$2,000. As a result, there is little in the budget for regulating them.

In the years since, the volume of waste has kept growing as dairies relocate from fast urbanizing Southern California or try to boost profits with bigger herds. Last year, there were 891,000 milk cows and heifers in the valley, up 42 percent from a decade before. A cow typically produces as much waste as 24 people.

Pollution authorities have concerns about other "confined animal facilities" raising beef, poultry and swine, but in the Central Valley they are far outnumbered by dairies.

Bill Crooks, former executive officer of the regional water board, said the agency has appealed regularly to its parent agency, the State Water Resources Control Board, for more money to monitor dairies.

"We've continually raised the issue on a number of fronts," Crooks said. "But at the same time, we could see the handwriting on the wall. We could see it wasn't very popular, so we didn't push it very hard."

A bill before the Legislature would authorize 18 new enforcement positions statewide, and the three or four going to the Central Valley could be assigned to dairies, said Craig Wilson, assistant chief counsel at the state board. But, he said, there are many other pressing needs.

"The dairy industry prevailed upon the Legislature to give them an exemption where they pay this one-shot deal," Wilson said. "I don't think it's equitable. But we're stuck with the hand we're dealt."

Day in and day out, the man trying to play that hand is Louis Pratt. All too often, he says, it's a loser.

Since Glandon's retirement, Pratt has been the one man in the field.

He is a pollution detective, tracking dairy wastes, in some cases many miles, to their source. Sometimes, particularly when winter rains overflow lagoons, he finds huge quantities have been deliberately released. Usually, it's just a small, steady overflow from a dairy that doesn't seem to care.

Pratt's is an exasperating routine. The violation notices he writes up are frequently ignored. Even in cases where he manages to win stiff fines, some dairies go on polluting.

One dairy he has hounded for 10 years was finally hauled into court by the San Joaquin County district attorney's office—the only one in the valley that seems inclined to prosecute dairies. The owners admitted illegal releases, paid nearly \$10,000 in penalties and costs, and were ordered by the court to clean up.

Last winter, their waste ponds were overflowing again. Deputy District Attorney David Irely said that this time he will insist on tougher measures. "But this case is the tip of the iceberg," said Irely. "We think there could be hundreds of violations each winter."

Cruising two-lane roads on the valley's east side one spring day, Pratt pointed to one dairy after another, casually noting violations and reciting his history of run-ins.

At one dairy near Elk Grove, a few dozen Holstein lazed in puddles of watery waste, which seeped from the muddy corral. "They just arrogantly let it go, flood the neighbors, and tell the neighbors to go to hell," said Pratt.

At the next, the waste lagoon was too small for the number of cows. To keep it from spilling, the dairy had over-applied wastewater to a field, which in turn drained to a roadside ditch. "Eventually, it ends up in the Cosumnes River," he said. "I've talked to them, and they've done nothing."

Farther south, near Escalon, Pratt pulled to the side of the road. With a long-handled scoop, he plucked a sample of a brownish liq-

uid from a shallow canal, part of the vast grid of drainage ditches dug all across the valley floor to carry off used irrigation water.

Pratt poured the solution into a small meter that measures electrical conductivity, a crude indication of salts and solids. The needle jumped to 520, twice what it should be.

"I can come out here just about any day of the year and find dairy wastes going into that drain," he said dejectedly. "All these little creeks and drains would support fish if there was no dairy waste going into them. But there's no fish, because they can't survive."

Pratt used to get more help from the state Department of Fish and Game, which has suffered cuts of its own. Dennis DeAnda, a patrol lieutenant in Merced, said that as a field warden, he investigated several big dairy spills that left fish floating dead. But the subtler efforts of smaller, chronic releases, he said, are harder to gauge.

"We're dealing with probably several hundred dairies on the San Joaquin River alone," DeAnda said. "Those impacts certainly are going to affect fish farther downstream."

In the long run, the bigger worry may be what is happening underground, where no one can see.

When stored in a leaky lagoon, over-applied to crops or simply piled too deep in a corral, dairy wastes stand a good chance of seeping down into the ground. Eventually, the groundwater below can load up with nitrates, a form of nitrogen that in sufficient quantities can sicken or kill an infant.

Wells used by public water systems are periodically checked, and from 1984 to 1996, the number in the Central Valley with nitrates above the drinking water standard jumped fourfold. Private wells serving individual homes tend to be shallower—and more vulnerable to contamination—but there is no requirement they be routinely tested.

There are other obvious sources of nitrates—leaking septic systems and overuse of chemical fertilizers. Without sophisticated testing, it is usually impossible to trace contamination to any single source.

"Is it dairy X or is it dairy Y? Or is it the farmer who's using ammonia fertilizer between the two?" said Cindy Forbes, Central Valley drinking water chief for the state Department of Health Services. "That's the problem. There's no smoking gun."

There is evidence suggesting that collectively, dairies pose a long-term threat to Central Valley groundwater—but the regional board has yet to release it.

In 1993, the agency dug 44 shallow monitoring wells at five dairies thought to be doing a reasonable job controlling their wastes. Groundwater samples taken over the next two years showed average nitrate levels five times the drinking water limit.

"The five dairies . . . share site characteristics and follow management practices common to hundreds of Central Valley dairies," notes a draft of the study, still under review three years later.

The "standard approach," the report says, would be to stop the pollution and order cleanups. "Despite the fact that significant pollution is apparently occurring, the standard response is not feasible . . . Current staffing levels are not adequate."

No one can predict when the contaminants might reach the deeper aquifers that supply much of the valley with its tap water.

But with farmers perennially crying for more water, and some underground supplies already lost to pesticides, any drinkable reserves are certain to become more precious if the Central Valley keeps growing as projected.

"I expect there are plumes of high-salt, high-nitrate water under dozens, if not hundreds, of these sites . . . The nitrate is eventually going to get into the deeper stuff. It is just a matter of time," said Rudy Schnagl, who oversaw dairy regulation for 10 years as chief of the regional board's agricultural unit.

"What concerns me is there are a lot of rural residences that still have old wells that don't go down so deep," Schnagl said. "I suspect a lot of those people are drinking water exceeding the nitrate standard."

Some experts say the Central Valley need only look south, to the Chino basin east of Los Angeles, to see what it ultimately risks. With the highest concentration of dairies in the world, the Chino basin years ago was forced to write off vast quantities of tainted groundwater. But with subdivisions now displacing the dairies, water is in high demand. There is talk of building exorbitant desalination plants so cities can tap the dirty underground cache.

"It's so heavily loaded now with nitrates from dairy cows, it's just useless," said Bill Fairbank, an agricultural waste engineer who spent 30 years at the University of California. "The Central Valley's headed in that direction, too, if they don't get their act together."

DAYCARE FAIRNESS FOR STAY-AT-HOME PARENTS

SPEECH OF

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Ms. PELOSI. Mr. Speaker, the legislation before us rightly acknowledges the importance of parents who are fortunate enough to stay at home with their children. But this is only part of the story. Had this resolution actually gone through committee, we would also have addressed the importance of working parents who do not have the choice to stay at home.

All parents must be supported in their child care choices. While we all want to support parents who want to stay at home, we must acknowledge that many parents must work to keep their families out of poverty. More parents work than have ever before, and more families rely on the mother's income to make ends meet. Many mothers are essential in helping support their families financially. A national study found that 55% of employed women provide half or more of their household income.

In California, the average earning of a two-parent family with both parents working full time at the minimum wage is about \$21,000. This is hardly enough to put food on the table, let alone afford quality child care.

Child care is a universal need. No parent must be discriminated against in our efforts to provide safe, quality child care for families who need it most. But we must work together to achieve this, not pit families with different needs against each other. I urge all my colleagues to work together on crafting a comprehensive child care proposal that addresses the needs of all families for safe, quality, affordable care for our most precious hope for the future—our children.

PROMISES VS. PERFORMANCE:
THE 1996 TELECOM ACT REVISITED

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. HASTERT. Mr. Speaker, two years ago, on February 8, 1996, virtually the entire bipartisan leadership of Congress and the Administration gathered to celebrate the passage of the Telecommunications Act of 1996. It was supposed to reduce regulation, foster competition, create new jobs, and expand customer choice.

But today, it is becoming increasingly clear that the Federal Government has not delivered on that commitment. Of course, everyone has someone else to blame. However, the fact remains that we have more regulatory roadblocks than ever. At every juncture, the FCC's approach has been to adopt more rules and regulations. Almost all of those actions have been overturned by the courts.

Why should this matter to consumers? Because it means that they aren't getting the benefits of lower prices and more choices.

Mr. Speaker, it's time for someone to get a handle on these runaway regulations, so I'm looking forward to the new commissioners stepping up to the task. My message to the FCC is simple—Congress is still looking for competition and more choice—let's allow the communications marketplace to work for the American people, not the lawyers of the regulatory bureaucracy.

TRIBUTE TO LOUIS R. MARCHESE

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. YATES. Mr. Speaker, a year ago Monday, on February 9, 1997, Mr. Louis R. Marchese, 65, died at his home in Arlington Heights, IL. I rise today to pay tribute to this fine man on the anniversary of his death.

I was acquainted with Lou Marchese through his son Steven, my Legislative Director for Foreign Operations Appropriations. Lou was a prominent lawyer in Illinois, nationally recognized for his work in the wholesale-distribution industry. More importantly, he was a man of integrity and high moral character.

Lou was the consummate self made man. His beginnings were humble; his parents were first generation Italians. He worked hard to rise above the trappings of poverty, and was the first in his family to attend college.

Education was a priority for Lou, and only took a backseat when he served in the Army during the Korean War. He later used the GI bill to attend law school at DePaul University in Chicago. He began his legal career at the Chicago Association of Commerce and Industry and it was there that he developed a lifelong affinity for the needs of the American businessman.

He was active in a number of industries, and was a leader among his peers. He served on the board of directors for many organizations and was instrumental in forming national, regional, and local trade associations to champion the rights of small, family-owned businesses.

During his long and distinguished career, he helped to build the law firm that would later bear his name, Halfpenny, Hahn, Roche & Marchese. Lou's expertise was sought in the areas of antitrust, trade regulation, and interstate taxation. He was well-published and the author of several books on the legal aspects of distribution.

He loved representing entrepreneurial firms, as he knew they were the backbone of a successful national economy. To achieve this end, he created the Distribution Research and Education Foundation, an organization dedicated to promoting wholesale-distribution.

Lou won recognition as a leading legal authority in the automotive industry, receiving the industry's leadership award in 1983. He also is one of only two individuals outside of the automotive field to be elected to the Automotive Hall of Fame.

Mr. Speaker, despite all of Lou's many accomplishments, he was proudest of all of his family. He is survived by his wife of 36 years, Marge, and his five children, Anne, Mary Ellen, John, Meg, and of course Steve. It is within these fine individuals that his legacy continues today.

I am honored to have known such an outstanding gentleman as Lou Marchese. His sense of humor and commanding presence will be sorely missed by all those whose lives he touched. Lou's death was a great loss to the legal community and to all whom had the pleasure to meet him. I consider myself lucky to have been one of them.

UNFULFILLED PROMISES: THE 1996
TELECOMMUNICATIONS ACT

HON. SCOTTY BAESLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. BAESLER. Mr. Speaker, the etymology of the phrase "buying a pig in the poke" has a rich linguistic history that can be traced back to the 16th century. In those days, as in ours, it refers to "something offered in such a way as to obscure its real nature or worth." The phrase is used these days to describe the growing sentiment regarding the Telecommunications Act of 1996.

When we voted on this legislation two years ago, we were promised a new era on the telecommunications frontier. We were promised better values for our consumers, greater competition, a higher level of local competition, and increased investments in local service facilities.

When this chamber passed the bill, we expected prompt and effective action from the Federal Communications Commission. We expected the FCC to give all consumers more long distance options and a greater array of services, in terms of local telephone and video service choices.

In my view, it seems that the FCC is moving in the wrong direction in allowing companies to compete for long distance services. This has been done at the expense of consumers and the regional Bell companies.

Although this is a tad tedious, the record speaks for itself. The FCC has attempted to subordinate state agencies through mandatory pricing "guidelines" and other requirements. Regrettably, the FCC has been joined by the

U.S. Justice Department's Antitrust Division in expanding the scope of long distance "check-list" items.

Sadly, all Bell company applications to compete in long distance have been denied. This not only hurts the regional Bell companies, it also harms middle income and lower-income consumers in my Congressional District and across my home state. In Kentucky, for example, more than 60 agreements have been signed between BellSouth and competitors seeking to provide local telephone service to "re-sell" local service. In contrast to federal regulators, those closest to the ground know the value of fostering competition. In other words, state commissions continue to foster local exchange competition.

Across Kentucky we are seeing examples of competitors operating in Lexington and Louisville, where they can capture the more profitable business markets. Yet, we don't see a rush to introduce competitive services for residential customers.

In my view, it appears that there is a flaw either in the statute itself or with the manner in which the FCC is choosing to carry out its mandate. There's no doubt in my mind that we sorely need a collaborative approach by the FCC on this matter. This is what Congress expected when it voted on the Telecommunications Act. We still have this expectation.

In summary, we need an approach that is reasonable, balanced, specific and consistent with the clear intent of Congress. To do so, allows the Telecommunications Act of 1996 to achieve its intended worth and promised value to consumers and telecommunications companies. To do otherwise is to delay, or deny, the once-in-a-generation opportunity for consumers to benefit from a competitive and rapidly changing telecommunications market.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. KIND. Mr. Speaker, the American people are looking to us to pass meaningful campaign finance reform in order to restore their faith in the political process. The President of the United States has called for bipartisan campaign finance reform to restore fairness and structure to a system plagued by abuses and unfair advantage. Now, leaders of corporate America have spoken out demanding campaign finance reform to ensure that businesses do not feel obliged to make large campaign contributions. The House still fails to set a date for debate and ultimately, a vote. What group needs to speak out to get the attention of House leadership?

I will continue to deliver daily statements. Individuals and public and private interests will continue to speak out. The Senate will continue to do its job by voting on reform by March 6, 1998. Will the House continue to turn a deaf ear to a growing voice calling for reform? My constituents demand to be heard, they will not take "no" for an answer.

OUR LADY OF THE LAKE UNIVERSITY INAUGURATES FIFTH PRESIDENT

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. GONZALEZ. Mr. Speaker, on February 21st of this year, Our Lady of the Lake University will inaugurate Sally Mahoney as its fifth president. It is an honor for me to recognize and applaud this important event at one of the leading institutions of higher learning in the entire southwest portion of our Nation.

Our Lady of the Lake University is coated in the heart of the 20th Congressional District of Texas, which I have had the honor and privilege of representing in the U.S. Congress for thirty-six years now. For over one hundred years, Our Lady of the Lake University has provided premier education at the same location on the Westside of San Antonio.

The University—or “The Lake” as it is affectionately referred to in San Antonio—was originally established in Texas by the Congregation of the Sisters of Divine Providence. From its inception as a Catholic academy for young women, the Lake has grown into a coeducational institution of world renown, serving an entire region with an offering of scores of areas of study and advanced degrees. As I said on the floor of the U.S. House of Representatives some eight years ago on the University Founder's Day, “Our Lady of the Lake University stands alone in its rich history of offering opportunities to groups left out of the mainstream, including women of all ethnic groups and adult students.”

While its enrollment may be small in numbers compared to some other universities, Our Lady of the Lake is big in its impact. It maintains the oldest social work program in Texas at the Worden School of Social Service. The list of University graduates reads as a who's who of those working to make a difference in their communities at the local level and nationally as well. It includes my esteemed colleague in the U.S. House of Representatives, the Honorable Ciro Rodriguez, and members of my own staff.

Other graduates include Dr. Gloria Rodriguez of Avance, Mary Jo Alvarez-Rodriguez of Project COPE, Guadalupe Gibson and Dr. Ernesto Gomez of Centro Del Barrio, Rosemary Stauber of the Bexar Country Women's Center, and Louise Locker Elliot of the Elf-Louise program. The list goes on and will only continue to grow, thanks to the strength of the University as an institution and the commitment of those associated with our Lady of the Lake.

As the recipient of an honorary doctoral degree in the humanities from Our Lady of the Lake, I would also like to extend my own personal welcome and congratulations to President Mahoney on the auspicious occasion of her inauguration as the fifth president of Our Lady of the Lake University. President Mahoney takes the reins from my long-time and very dear friend, Sister Elizabeth Anne Sueltenfuss, who served as President of the Lake for the past nineteen years. I trust that President Mahoney will have as long and productive a tenure, as Our Lady of the Lake

continues into its second century of educational service and excellence.

TRIBUTE TO THE BOROUGH OF SEASIDE PARK ON THEIR 100TH ANNIVERSARY

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. SAXTON. Mr. Speaker, I am proud to rise in tribute to the 100th anniversary of the Borough of Seaside Park, New Jersey. Seaside Park is celebrating their 100th anniversary on March 2, 1998, and will be holding a ceremony on Thursday, March 5 at 8:00 p.m. at the regular meeting of the Town Council. Other events will take place this summer, including an Ocean Mini-marathon swim on August 15, a Dinner Dance on August 21, and a Centennial Parade on August 22, to be followed with a fair with children's games and music.

The history of Seaside Park began in the late 1800's, and early settlers found the area so beautiful, they planned to create a park; thus the name Seaside Park. The early settlers were self-reliant people, and through their efforts they built a strong and vibrant community. In those early days, residents hauled sand to create the first roads, and many residents kept cattle, horses, and chickens.

In 1872, the U.S. Life Saving Service was established, with William O. Miller as the first captain. The Life Saving station became the Coast Guard Station with the founding of the Coast Guard in 1915. Today, the station serves as a meeting facility and is home to the borough offices.

Train service to Seaside Park began July 4, 1881, when the train made its first run from Philadelphia to Seaside Park. The railroad station, built in 1882, is now the site of the Municipal Complex.

In 1899, the Seaside Park Yacht Club was built. Seaside Park's famous Sewell Cup for catboats was originally presented by U.S. Senator William Sewell during opening race ceremonies in 1900. The Sewell Cup is still raced today.

In 1913, Seaside Park's Volunteer Fire Department was established. That year, the company built their first vehicle, a horse drawn hose truck. A large iron gong was rung whenever there was a fire, and residents responded. The gong is presently located outside the firehouse at the Municipal Complex. In 1938, the Tri-Boro First Aid Squad was formed. The squad originally covered the area from Lavallette to Barnegat Inlet.

In 1973, Seaside Park adopted its official Borough Seal. The seal is divided into three parts, representing the trinity of land, sea and air, which are symbolized by the native beach plum, striped bass and a sea gull. The colors of the seal are blue for nobility, gold for preciousness, and white for purity.

Mr. Speaker, today the Borough of Seaside Park prides itself on its excellent beaches, its quality of life, and its community spirit, where neighbors know and care about each other. I would therefore like to recognize all of the citi-

zens of Seaside Park and their Mayor, John Peterson, Jr., and the Centennial Committee Chairperson, Ms. Nancy Carlson, for their ongoing and continuing pride and love for their town. Once again, Mr. Speaker, I would like to congratulate the Borough of Seaside Park on this historic milestone, and wish them a happy, prosperous and successful next century.

HONORING DR. NORA KIZER BELL

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. CHAMBLISS. Mr. Speaker, I have the distinct privilege today to honor a remarkable woman and the newest president of Wesleyan College in Macon, GA, Dr. Nora Kizer Bell.

On December 23, 1836, the Georgia legislature ratified the charter of the Georgia Female College and empowered its president to “confer all such honors, degrees, and licenses, as are usually conferred in colleges or universities”—making it the first college in the world chartered to grant degrees to women. The college was founded through the efforts of a group of Macon citizens and the Georgia Conference of the Methodist Episcopal Church, expressing their commitment to the higher education of women.

The Georgia Conference assumed responsibility for the college in 1843, and by an act of the state legislature changed its name to Wesleyan Female College. The “Female” was eliminated from the name in 1917, but Wesleyan has remained a women's college throughout its history.

Wesleyan is also the birthplace of the first two Greek societies for women, the Adelphean Society in 1851 (now Alpha Delta Pi) and the Philomathean Society in 1852 (now Phi Mu).

In 1928 the Liberal Arts College was moved from its original College Street site to the new Rivoli campus in north Macon. The historic College Street building continued to house the School of Fine Arts, which consisted of the Conservatory of Music and the departments of art, theatre, and speech. In 1953 the School of Fine Arts, too, was moved to the present campus.

This is the extraordinary history of the institution that is about to inaugurate an extraordinary new president. In 1997 Wesleyan College named Dr. Bell its twenty-third president, to succeed Robert Kilgo Ackerman. Dr. Bell is a Magna Cum Laude and Phi Beta Kappa graduate of Randolph-Macon Woman's College. She earned the master of arts from the University of South Carolina and the doctor of philosophy from the University of North Carolina.

In 1998, one hundred sixty-two years after the college's founding, the president who confers degrees on the graduates of Wesleyan will also be the first woman to serve in that capacity. This is a great day for post-secondary education, women educators, Wesleyan College, and the City of Macon.

I am proud to represent Wesleyan College and I commend Dr. Bell and her faculty and administration on their commitment that Wesleyan College continue to provide the best education for tomorrow's leaders.

TRIBUTE TO A.J. NASTASI: PENNSYLVANIA'S ALL-TIME HIGH SCHOOL BASKETBALL SCORING LEADER

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. SHUSTER. Mr. Speaker, I rise today to pay tribute to a young man who has made an athletic accomplishment that many people thought would probably not be broken. A.J. Nastasi, a student at Northern Bedford High School located in Loysburg, Pennsylvania, broke the Pennsylvania Boys High School basketball Scoring record on Saturday, February 7, 1998, with 3,627 points. I was fortunate enough to be in attendance for this historic game, watching A.J. and his teammates take on my hometown's team from Everett, Pennsylvania. A.J. has demonstrated great poise and maturity throughout this exciting basketball season, a trait no doubt attributed to his family. It should be noted that the previous record holder is a former colleague of mine here in the House of Representatives, former Representative Tom McMillen of Maryland. Tom set the state record in 1970 at Mansfield High School, scoring 3,608 points, and went on to a successful college and professional basketball career before coming to Congress. It was a privilege to be invited to honor A.J. and celebrate this momentous occasion with the many fans, friends and family members in attendance. Next Fall, A.J. will be attending West Virginia University as a scholar-athlete. A.J. has become part of an esteemed group of athletes through his accomplishment. I wish A.J. the best in this future endeavors, and hope that he continues his success on and off the court.

RECOGNIZING THE Y107/ST. JUDE'S TELETHON

HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. PAPPAS. Mr. Speaker, this Friday and Saturday, February 13 and 14th, radio station Y107 and the Woodbridge Center in New Jersey will be hosting the first annual Y107/St. Jude Radiothon.

The radiothon which will run for a total of forty two and a half hours over the next two days, seeks to raise money for St. Jude Children's Research Hospital for the fight against cancer and other catastrophic diseases.

Thirty-six years ago an entertainer by the name of Danny Thomas founded the only hospital devoted to solely fighting the plague of cancer on the world's children. That hospital, the St. Jude Children's Research Hospital is still today the only hospital devoted to this cause, and is still fighting cancer with a rare, precious vigor and determination.

Treating over 14,000 children and making scientific breakthroughs again and again, St. Jude's had helped to increase the overall survival rate for children stricken with cancer with 20 to 60 percent in its 36 year time span.

Today I would like to personally thank each and every person who has devoted their time,

money, and hearts to St. Jude's children. I would also like to commend all of those who have made these incredible advancements in saving our children from cancer. One cannot praise the hospital staff and volunteers enough for their efforts throughout their years of service. Moreover, I must also extend my great appreciation to those who have donated to St. Jude's over the years. With costs of over \$60,000 for only the first year of treatment, the children and St. Jude's count on our charity and generosity to fund their worthy cause and make treatment possible. Congratulations, best wishes and acclaim to St. Jude Children's Research Hospital, the children, staff, contributors and people of Central New Jersey that will help Y107 reach its goal this weekend.

RECOGNIZING LAUREN HOUGH FOR OUTSTANDING VOLUNTEERISM

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to congratulate Lauren Hough of Agnes Irwin School. Recently, Lauren was named a Distinguished Finalist for the state of Pennsylvania in the Prudential Spirit of Community Awards. This nationwide program highlights the achievements of America's most exemplary young people, like Lauren, who volunteer to make a difference in their communities and throughout the world.

Miss Hough is being recognized for her work with Operation Smile, an organization dedicated to providing medical assistance and surgical procedures to underprivileged children throughout the world. Last year, Lauren traveled with the organization to Kenya, where she assisted doctors by comforting children who are undergoing surgery for facial deformities.

Operation Smile has made a significant impact throughout our nation and in the world. With the help of volunteers like Lauren, Operation Smile has positively influenced over 41,000 children.

Lauren Hough should be proud to have been singled out for recognition out of a national pool of over 11,000 students. I applaud the work of Miss Hough in making a difference and aiding the lives of children throughout the world. She has demonstrated a level of commitment and integrity that is exceptional for a student of her age.

Lauren's work is a model for other students and adults throughout the nation. Volunteer actions by those like Lauren is what made America great. As a representative of the youth of America, Lauren's vision for volunteerism provides me with an enthusiastic outlook for the future. I thank Lauren and encourage her to continue working to make a difference in the lives of others.

1998 CONGRESSIONAL OBSERVANCE OF BLACK HISTORY MONTH

SPEECH OF

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Mr. TIERNEY. Mr. Speaker, while we celebrate the many accomplishments and contributions that African Americans have brought to our diverse country this month, I would like to bring to the attention of my colleagues an individual whose spiritual faith and dedication to inner-city children has been an inspiration to many.

Rev. Walter Murray graduated from Harvard School of Divinity in 1986 and for the past eight years, has been Pastor at Zion Baptist Church in Lynn, Massachusetts. During his tenure at Zion Baptist he founded the "Inroads New England" program and provided transportation to inner-city children who otherwise would not be able to attend program events. Last fall, Rev. Murray was honored for his work with Inroads New England.

The co-founder of the Essex County Community Organization, Rev. Murray also helped create the Jump Start program in the basement of his church, which provided after-school activities for latchkey children. He is a member of the Swampscott, Massachusetts Rotary Club and has assisted in the development of youth leadership weekends. He has been honored with the Massachusetts Ecumenical Council of Churches award for Ecumenism, the First Decade Award from Harvard Alumni Association, and the Children's Defense Fund National Achievement Award.

Frederick Douglass once said, "I cannot allow myself to be insensitive to the wrongs and sufferings of any part of the great family of man." Rev. Murray personifies the words of the great abolitionist and civil rights leader through his selfless dedication and spiritual devotion to the children who are often neglected and forgotten. His work has touched the lives of hundreds of children and adults and he continues to influence more and more individuals every day. In our lifetime, we are fortunate to know at least one person with such philanthropic commitment, and as we commemorate Black History Month, I am honored to call Rev. Murray a constituent, a dear friend, and an individual who truly represents the achievements of African Americans to our society.

SALUTING SAM JOHNSON OF TEXAS

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. SENSENBRENNER. Mr. Speaker, I rise to salute a colleague and a true patriot, Representative SAM JOHNSON of Texas. Today marks the 25th anniversary of Mr. JOHNSON's release from North Vietnam, where he was held as a prisoner of war for nearly seven years in the infamous Hanoi Hilton.

We have all heard stories of the horrific conditions endured by American servicemen who became pawns of the North Vietnamese as

the Vietnam conflict raged. Representative JOHNSON saw some of the worst. He has been quoted as saying, "If hell is here on earth, it is located on an oddly shaped city block in downtown Hanoi, Vietnam."

Isolation, starvation, and torture were almost certainly not what Representative JOHNSON envisioned as he participated in ROTC in college and moved on to a military career as an Air Force fighter pilot. Yet when his F-4 was shot down only two months into his second tour of duty in Vietnam, Representative JOHNSON took everything that was handed to him all the while heroically maintaining his pride in the country he serves to this day.

He was labeled a diehard by his guards and banished to solitary confinement for months at a time. A patriot throughout, Representative JOHNSON returned home an continued his military service until his retirement in 1979. He was elected to the House of Representatives in 1991, where he has repeatedly shown his dedication to responsible fiscal policy, family values, and America's patriotic heritage.

Since his return from Vietnam, Representative JOHNSON has received many awards in recognition of his service to his country, including two Silver Stars, two Purple Hearts, two Legions of Merit, the Distinguished Flying Cross, and one Bronze Star with Valor, among others.

Representative JOHNSON, our tribute today is not so prestigious an award. Yet it is meant to signify the gratefulness and respect of your colleagues for the service you have done your country and continue to do as a Member of this House. Representative JOHNSON, thank you. Your enduring will and patriotism in the face of unimaginable adversity is truly exemplary.

HONORING THE WHITTIER CITY
SCHOOL DISTRICT ON THE OCCA-
SION OF ITS CENTENNIAL CELE-
BRATION OF EDUCATING
WHITTIER'S CHILDREN

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. TORRES. Mr. Speaker, I rise in honor of the 100th Anniversary of the Whittier City School District. On Friday, February 20, 1998, students, teachers, administrators, and friends and family of the Whittier City School District will come together at a special Centennial Celebration at the Whittier Community Center, in Whittier, California, to commemorate 100 years of dedication to educating Whittier's children.

The rich history of the Whittier City School District reflects the history of the State of California and of our nation. Established on February 21, 1998, the newly formed district experienced the growth boom of the west. In its first 20 years, coinciding with the incorporation of the City of Whittier, school enrollment doubled from 200 to 400 pupils. It again doubled during World War I. By 1917, the area's growing oil industry began producing over a million barrels per year. With this booming industry, new jobs and population growth followed. During this same period, to accommodate the increase in student enrollment, four new schools were built: John Muir Junior High; Jonathan

Bailey Elementary; Longfellow Elementary; and Lydia Jackson Elementary.

Growth slowed during the Great Depression. Despite the stagnant economy, in the latter part of the Depression, the District built the Lou Harry Hoover School. Following World War II, phenomenal growth in the district prompted the construction and annexation of 12 schools. During the post World War II era, a total of 11,400 students graduated through the Whittier City School District. After the Korean Conflict, total school enrollment had grown to 1,700 pupils. For the last 40 years, the district has experienced steady growth. During the Vietnam Conflict years, the North Whittier School, later renamed Wallen Andrews Elementary, was built to accommodate students coming from the newly built tract homes along Workman Mill Road, north of the City of Whittier.

Currently there are 13 schools in the Whittier City School District: Wallen Andrews; Lou Henry Hoover; Lydia Jackson; Abraham Lincoln; Longfellow; Mill; Orange Grove; Daniel Phelan; Christian Sorensen; George Washington; West Whittier; Walter Dexter Intermediate and Katherine Edwards Intermediate. The Whittier City School District Board of Education, consisting of School Board President Brigitta Weger, Vice President Dr. Owen Newcomer, Clerk Dr. James Albanese, and Boardmembers Javier Gonzalez, and John Peel, along with Superintendent Dr. Carmella Franco, are dedicated to the District's motto "Educating Children . . . Our Only Business." With the arrival of the Centennial Celebration, student enrollment is near 7,000 and the Whittier City School District estimates, after the conclusion of the current academic year, a total of 43,700 students will have graduated from its schools during the past 100 years.

Mr. Speaker, I ask my colleagues to join me extending our congratulations and appreciation to the friends and family of the Whittier City School District on its 100th Anniversary and for its century of exemplary dedication to providing top quality education for our youth.

CELEBRATING THE 80TH ANNIVER-
SARY OF LITHUANIAN INDE-
PENDENCE

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. BONIOR. Mr. Speaker, I rise today to recognize the 80th anniversary of the declaration of Lithuanian Independence.

For nearly 55 years, Lithuania was occupied by Soviet military forces. But in the past five years, the people of Lithuania have been able to finally enjoy and celebrate the freedoms and privileges of an independent nation.

The United States and Lithuania have now formed a significant partnership between our leaders, our governments, and our people. We have close trade relations with Lithuania. We are mutually committed to the security of the Baltic region.

With free and fair elections recently completed, Lithuania has established a commitment to democracy and pluralism. I believe we can say with great confidence that Lithuania is becoming a full partner in the effort to build

democracy and promote freedom around the world.

I commend the Lithuanian-American community for their persistence and hope through the many challenging decades. The 80th anniversary of Lithuanian independence will be celebrated by the Lithuanian-American community in Southeast Michigan on Sunday, February 8, at the Lithuanian Cultural Center in Southfield.

I urge my colleagues to join me in honoring Lithuania's independence.

TRIBUTE TO BERNARD F. EICHOLZ

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. PORTMAN. Mr. Speaker, I would like to acknowledge the outstanding and tireless contributions of a distinguished Ohioan, Bernard F. Eicholz, who recently retired from the Certified Development Company (CDC) of Warren County, Inc.

From 1981 to 1997, Bernie served as founder and President of the CDC. The CDC is a vital tool for small business owners throughout Warren County. When he founded the CDC, few could have foreseen the growth and development the area would experience. But Warren County has experienced record-breaking economic growth, and Bernie has been a driving force behind it. During Bernie's service, the CDC has helped small businesses to create or retain nearly 2,000 full-time jobs in Warren County.

Bernie has devoted his entire life to public service. Prior to founding the CDC, he served as Mayor of Covington, Kentucky; City Manager of Franklin, Ohio; Director of Economic Development for Warren County, Ohio; and Director of Economic Development for Springboro, Ohio. He has also served as a consultant to community leaders on issues ranging from annexations to charters.

Bernie has given generously of his time and talent and we are grateful for his many years of service and leadership. His leadership in the business community and Warren County as a whole have helped to transform the region. All of us in southwest Ohio congratulate him on his retirement and recognize him for his many accomplishments.

TRIBUTE TO DONALD SHAPIRO

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mrs. LOWEY. Mr. Speaker, I wish to pay tribute to Donald L. Shapiro in honor of the dedication of his portrait at the Harvard Club of New York City. He is a man of character, ambition, and faith.

Few Americans have been as successful as Donald Shapiro. A graduate of Harvard College and the Harvard Graduate School of Business, Donald Shapiro has served as Vice President of Real Estate for Levitt & Sons, and subsequently as Executive Vice President of Peerage Properties. He was also President of the Roosevelt Field Shopping Center on Long Island.

In 1974, Donald co-founded Vector Real Estate Corporation. As President, he guided the firm in development, acquisitions, and joint-ventures on residential, commercial, and retail properties. In 1989, Donald began a tenure as director of the New York Federal Savings Bank; three years later, he became its CEO. Last year, he negotiated the sale of New York Federal Savings Bank to Flushing Savings Bank and became a Senior Vice President.

It should also be noted that Donald Shapiro has helped guide several other enterprises in the New York area. He is a former board member of the Community Bankers Association of New York State and is currently a director of the Associated Builders and Owners of Greater New York.

But, Mr. Speaker, Donald Shapiro has done so much more. Religion, education, and family have played significant roles in his life. I particularly respect and admire his religious commitment. He is Vice Chairman of the Board of the Reconstructionist Rabbinical College in Philadelphia and Chair of the West End Synagogue. His leadership has helped these institutions thrive. I also commend him for his loyalty to the educational institutions that helped him grow. He recently completed a term as an Alumni Trustee of the Phillips Academy, and is currently Chair of the Academy's Campus Design Review Committee.

Donald Shapiro has embraced life. In addition to his business and volunteer ventures, he enjoys swimming and playing squash, and is an aficionado of theater and music. The New York Giants and New York Mets can count him as one of their biggest fans. He has three adult children—a rabbi, a poet, and an actor. He is married to Arlene, a real estate broker, and they reside in New York City.

From 1993 to 1996, Donald Shapiro served as President of the Harvard Club of New York City. Next week, the Club will dedicate his portrait. On this joyous occasion, I want to acknowledge his achievements and wish him happiness and success in the future.

RECOGNIZING THE NEW CASTLE AREA HONOR GUARD

HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. KLINK. Mr. Speaker, I rise today in recognition of the New Castle Area Honor Guard. This group of dedicated Veterans provides an invaluable service to all those individuals who risked their lives in defense of our freedoms. I would like to take this opportunity to commend these volunteers for their years of service to the Veterans of Lawrence County.

The New Castle Area Honor Guard was formed in October 1992 when a group of concerned Veterans became aware of a terrible disservice that had recently occurred. A fellow Veteran had passed away in the New Castle area, leaving no survivors to attend his funeral service or honor his memory. The concerned men enlisted the aid of their fellow Veterans and committed themselves to honoring their comrades in an appropriate fashion. Hence, the honor guard was formed to provide military funeral services for honorably discharged Veterans of the area.

Since performing their first military funeral in 1993 the membership of the New Castle Area

Honor Guard has grown to nearly 40 dedicated individuals. In addition to funeral services, they have extended their operation to perform services in which our national flag is honored. The honor guard has performed more than 500 funerals in and around the Lawrence County area and has traveled as far as Ohio to provide their services.

Mr. Speaker, let us commend the efforts of this loyal group of American Veterans. These citizens have proven their commitment to our nation time and time again. They once served with valor in our armed forces and they continue to serve with honor in our community. I ask you and all members to join me in a special salute to the New Castle Area Honor Guard.

SAVE SOCIAL SECURITY FIRST RESERVE FUND

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. RANGEL. Mr. Speaker, I am today introducing legislation to establish a "Save Social Security First Reserve Fund." I am joined by Representative BARBARA KENNELLY, Ranking Democrat on the Subcommittee on Social Security, and Democratic Members of the Committee on Ways and Means. I hope that others, both Democrats and Republicans, will join us in this effort.

The bill would implement the President's call to reserve 100 percent of the budget surplus until we have taken all the necessary measures to strengthen the Social Security system for the 21st century. It would ensure that budget surpluses are set aside pending Social Security reform.

Social Security is a strong reflection of who we are as a nation. Through it, we recognize our duties to our parents and grandparents and our shared responsibility to one another. Social Security protects all of us in good times and in bad.

Without Social Security, nearly half of all older Americans would live in poverty. That is because Social Security provides most of the income of two-thirds of the people over the age of 65.

Social Security protects young and old alike from the unforeseen circumstances of death or disability. Over 7 million widows and children receive benefits due to the death of a breadwinner.

This legislation reflects our determination to save Social Security first—before we talk about tax cuts or spending priorities. Thus, the bill would require the Secretary of the Treasury to deposit any budget surplus into the Save Social Security First Reserve Fund which would be invested in U.S. government securities. The budget deficit would be zero. This would leave no doubt that we intend to save any budget surplus which materializes until we have taken action to strengthen the Social Security system.

DAYCARE FAIRNESS FOR STAY-AT-HOME PARENTS

SPEECH OF

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Mr. RADANOVICH. Mr. Speaker, passage of H. Con. Res. 202, the Equitable Child Care Resolution, is an important step Congress must take to address the child care needs of American families.

The Equitable Child Care Resolution will ensure that the child care discussions by Congress include consideration of the needs of at-home parents. Unfortunately, the President's child care proposal fails to recognize that almost 70 percent of American families do not pay for child care because at-home parents or relatives care for the children. These families—many of which are low to middle income—have devised creative solutions to meet their child care needs, because they would rather have a parent, relative, or friend care for their children than an institution. However, their solutions often entail a sizeable sacrifice of family income. The President's proposal simply ignores this 70 percent of families with children and instead focuses on the remaining 30 percent.

During consideration of child care policy, it is also important that Congress not create another large federal bureaucracy. Such a bureaucracy, coupled with a subsidy for child care, would create the incentive for increased dependence on, and control by, Washington bureaucrats. The effect would be to move more children into institutionalized day care. Parents have the right to determine what kind of child care that is best for them, whether parent-based, church-based, community-based, neighborhood-based, or institution-based. They should not be pushed into one type of care through social engineering subsidies. Moreover, the President's plan would unequally distribute benefits, tilting them toward families where both parents choose to work, while taxing those who decide to stay at home.

A more effective solution would be to provide an across-the-board tax reduction—such as expanding the \$500 per child tax credit recently enacted by Congress. We should expand the range of choices available to parents, not the government's control over child care. Parents should be equipped with the resources, responsibility, and personal control to raise their children.

The federal government currently sponsors numerous programs to help families with children. Since 1995, Republicans in Congress have enacted major reforms to help families afford child care. The welfare reform law has merged four programs into the better and more effective Child Care Development Block Grant. This block grant allows localities to respond to the different needs of our families, giving parents choices through vouchers. Overall, welfare reform has increased child care funds for our country's neediest families by \$4 billion. In addition, the Child Development Tax Credit provides \$14 billion over the next five years to families with child care expenses.

My goal is to help restore the central role of families in society while addressing the specific needs of our children. A child care plan,

such as the one offered by the President, that punishes parent care and encourages government controlled institutionalized care does not strengthen the family. Rather, it weakens families while increasing the role of Washington bureaucrats in the lives of our children.

INTRODUCTION OF HOME CARE LEGISLATION

HON. MERRILL COOK

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. COOK. Mr. Speaker, I am pleased to join my colleague from Massachusetts, Congressman MCGOVERN as an original cosponsor of legislation to address some serious problems caused by certain provisions included in the Balanced Budget Act.

There were several provisions included in the Act intended to address alleged Medicare waste and fraud occurring in the home care industry. However, some of these provisions are causing a great deal of hardship and heartbreak for seniors in Utah, Massachusetts, and across the nation.

Why is this happening?

First, the provisions in the Balanced Budget Act put the cart before the horse. They have forced home care providers to cut costs at least six months before the federal government tells the providers how much they have to cut.

Second, the provisions create a Rube Goldberg system where home care providers are rewarded or punished depending on what kind of fiscal year they use. I would need a one hour special order to try to explain this one.

The bill that Congressman MCGOVERN and I are introducing will address these problems. I urge my colleagues to join as cosponsors of this legislation.

TRIBUTE TO CHIEF A. LEROY WARD

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. PALLONE. Mr. Speaker, I rise today to pay tribute to the late Mr. A. Leroy Ward, the former police chief of Neptune Township, NJ, who passed away earlier this week at the age of 83.

Mr. Ward served 35 years on the Neptune police force, beginning as a patrolman in 1944 and rising through the ranks of sergeant, lieutenant and captain before appointed chief on February 1, 1964. He retired in 1979. A loving husband and father, he is survived by his wife of 61 years, Dorothea, two sons, two daughters, 10 grandchildren and five great-grandchildren. His son James A. Ward currently serves as the Neptune Township Police Chief.

Mr. Ward was born in Newark, NJ, and lived for more than 50 years in the Ocean Grove area of Neptune. He was past president of the Monmouth County Chiefs of Police Association and a member of the New Jersey International Chiefs of Police Association. He was a member of St. Paul's United Methodist Church in Ocean Grove, the Wall-Spring Lake

Lodge 73 of the Free and Accepted Masons, the Washington Fire Company 1 of Ocean Grove and the New Jersey Exempt Firemen's Association.

The obituary for Mr. Ward that was published in the Asbury Park Press of New Jersey quoted political and law enforcement leaders praising the former chief for his consummate professionalism. Mr. Ward served during a time of explosive growth in Neptune Township, and he responded very well to the challenges and opportunities posed by these changes. He reached out to all parts of the community, from young people to senior citizens, and fostered a strong sense of respect between the police and the community.

Mr. Speaker, I am honored to pay tribute to this great public servant and fine man, Chief A. Leroy Ward. I extend my condolences to his family, and hope that the many tributes pouring in for Mr. Ward will be a source of comfort to them.

“REDUCE THE FEDERAL DEBT, ENHANCE THE LINE ITEM VETO”

HON. CHRISTOPHER JOHN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. JOHN. Mr. Speaker, about a year ago, I stood on this floor for the first time as a Member of Congress and spoke in support of the balanced budget agreement. In my comments, I praised all those who worked diligently to secure our Nation's immediate future by tackling the deficit. However, I also recognized that another, more ominous problem awaited us on the horizon; and that problem could only be addressed once we got a handle on our deficit. That problem, Mr. Speaker, is our national debt.

We all know the numbers—the federal debt now stands at over \$5.3 trillion, which amounts to roughly \$20,000 for every man, woman, and child in the country. According to the President's budget, we must allocate roughly 14 percent of our budget this year simply to pay the net interest on the debt.

Mr. Speaker, I know all of you share my enthusiasm over the continued expansion of the economy and the economic forecasts predicting a balanced budget as early as fiscal year 1999. In addition, we are all aware of the debate currently being waged with respect to what our priorities should be if we experience a budget surplus; however, now is not the time to abandon our fiscal belt-tightening. Rather, the tools we now have in place to ward against pork-barrel spending need to be preserved and enhanced.

An example of this is the President's line item veto authority. As you recall, the impetus behind the line item veto was, in part, to ward against wasteful spending—a concern that I believe is paramount regardless of whether a budget deficit or surplus exists. Mr. Speaker, it is with this particular concern in mind that I come to the floor today. For without legislative action, the Line Item Veto Act of 1996 and the fiscal responsibility if represents will be endangered due to a technicality.

Under current law, the President may enroll this authority only in the event of a budget deficit. Regardless of our opinion over how the President recently used this authority, if we

support the ideal behind the legislation, we must remain vigilant against wasteful spending and provide this continued authority in the event of a budget surplus.

Today, I dropped a bill to remedy this problem and I urge my colleagues' serious consideration and support in moving his fiscally prudent legislation forward.

Mr. Speaker, my proposal would preserve the continuation of the line item veto by adding language to the Act clarifying its applicability during a budget surplus and directly the savings to be used to reduce the national debt. This not only provides clear congressional intent, but also strengthens the constitutionality of the Act by limiting the delegation of authority between the Legislative and Executive branches to times of a deficit or a surplus.

Again, I believe that this is a great, fiscally responsible issue for all in Congress to champion during the 2d session and I welcome your comments and cosponsorship. Please join me in supporting this legislation.

PUERTO RICO POLITICAL STATUS ACT

HON. CARLOS A. ROMERO-BARCELÓ

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. ROMERO-BARCELÓ. Mr. Speaker, three days from today, one hundred years ago, history was made. On the night of February 15, 1898 at exactly 9:40 p.m. the United States battleship USS Maine exploded in Cuba's Havana Harbor.

To this day the cause of the explosion, which killed 266 naval officers and crewmen, remains a mystery. Yet despite the unknown source of the attack, it was the spark that fueled the Spanish American War in 1898.

A war that Americans proudly entered as a crusade to free Cuba from Spanish rule.

A war that also liberated Puerto Rico from Spanish rule, but turned Puerto Rico into a U.S. territory.

We have now been a territory of the United States for 100 years and disenfranchised U.S. citizens for 81 years. But a century has passed us by and we remain disenfranchised and a colony, at a time when colonies are not only unfashionable but embarrassing to a Nation that preaches democracy throughout the world and calls for a plebiscite in Cuba.

Puerto Ricans are part of the great American family. Puerto Ricans are United States citizens who have proudly fought in numerous conflicts for our Nation. They have shed their blood and they have defended democracy like any other soldier living in the 50 states.

The U.S. citizens of Puerto Rico deserve much more than the continued postponements for consideration of their case. Congress has procrastinated our political dilemma for too long. The Legislature of Puerto Rico has enacted joint resolutions which it has sent to three consecutive Congresses, the 103rd, the 104th, the 105th—asking for Congress to take the necessary steps to resolve the Puerto Rico political status. This Congress, the 105th Congress, has the authority and the moral responsibility to approve H.R. 856—the US-Puerto Rico Political Status Act, a bill for self-determination—a bill which will pave the road to enfranchisement and equality.

THE TELECOMMUNICATIONS ACT

HON. WALTER B. JONESOF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES*Thursday, February 12, 1998*

Mr. JONES. Mr. Speaker, I stand here today with one simple question for the FCC.

Where is the telecommunications competition that Congress promised the American people two years ago?

Did the dog eat it? Is it in the mail?

Congress spend years crafting a well-balanced compromise that became the Telecommunications Act of 1996.

It needed only a light touch from regulators to steer it to a safe harbor, bringing much-needed competition to cable, long distance and local markets.

Instead, the Washington bureaucrats churned out unnecessary and unintended regulations.

These regulations, subsequent court cases and the steadfast quarantine of the Baby Bells has actually delayed competition by creating confusion and uncertainty.

Congress' intention was to simplify this industry. Unfortunately, this commonsense philosophy seems lost on the FCC.

So, Mr. Speaker, I renew my question for the FCC.

Where is the competition that Congress promised the American people?

Did the dog eat it? Is it in the mail?

Or has the FCC frittered it away with detail?

TELECOMMUNICATIONS ACT
ANNIVERSARY**HON. CHARLES H. TAYLOR**OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES*Thursday, February 12, 1998*

Mr. TAYLOR of North Carolina. It would give me great pleasure to be able to stand before the American people today and cheer the second anniversary of the signing of the Telecommunications Act of 1996.

Unfortunately, there is nothing to cheer about. The sound that American consumers hear is the sound of a busy signal.

In the two years since the Telecommunications Act was signed into law, the American people have been promised a new era of competition and lower phone rates. Well ladies and gentlemen, the American people are still on hold.

Instead of receiving lower phone rates, they have received thousands of pages of new regulations and they have witnessed jurisdictional squabbles and federal court appeals. They have gotten the stingy judgment of regulators and bureaucrats instead of the prosperous judgment of the marketplace. This is not what Congress intended when we passed this legislation.

Mr. Speaker, on this important anniversary, I call on the Federal Communications Commission to loosen the shackles on telecommunications competition.

It is time for the Federal Communications Commission to trade in its approach of confrontation and punishment, for one that celebrates cooperation and competition.

Let us unleash the markets and allow hard-working, tax-paying American people to re-

ceive the benefits of the new era of competition they were promised by Congress and the President.

Come on FCC, drop a dime and reach out and touch the American people.

CALLING FOR U.S. SUPPORT FOR
TAIWAN'S REPRESENTATION IN
THE WORLD HEALTH ORGANIZATION**HON. SHERROD BROWN**OF OHIO
IN THE HOUSE OF REPRESENTATIVES*Thursday, February 12, 1998*

Mr. BROWN of Ohio. Mr. Speaker, I rise today to introduce a resolution calling for Taiwan's representation in the World Health Organization (WHO) and U.S. support for such a bid. As the ranking member on the House Subcommittee on Health and Environment, I am pleased that several of my colleagues from both sides of the aisle have joined me in this important endeavor, for health knows no boundaries and this issue is one that should unite rather than divide us.

Sick children feel the same pain and shed the same tears, whether they live in Taipei, Los Angeles, Milan, or Nairobi. The stated and noble aim of the WHO is to help achieve the highest possible level of health for all peoples, but the 21 million people of Taiwan are currently barred from accessing the latest medical knowledge and techniques which the WHO could provide. Moreover, Taiwan cannot contribute its own substantial health resources and expertise to furthering the goals of the WHO, as it did prior to 1972.

Quite simply, as increased international trade and travel leads to a greater potential for the cross-border spread of infectious diseases, the case for Taiwan's participation in the WHO grows stronger every day. Taiwan and its children have much to gain from the WHO, as does the WHO from Taiwan. This issue is principally a matter of the basic human right to good health, and I encourage all my colleagues to support this resolution.

IN HONOR OF MELVIN E. KAMEN:
AN INVENTOR OF THE YEAR
NEW JERSEY INVENTORS HALL
OF FAME**HON. ROBERT MENENDEZ**OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES*Thursday, February 12, 1998*

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to an outstanding scientist, Mr. Melvin E. Kamen, who will be honored as an "Inventor of the Year" by the New Jersey Inventors Hall of Fame at their 10th Annual Awards Banquet on Thursday, February 12, 1998, at the William Hazell Center at the New Jersey Institute of Technology in Newark, NJ.

Mr. Kamen, Chief Research Scientist for Revlon, has been with the company for 28 years. Prior to his association with Revlon, Mr. Kamen was the president and chief chemist of New Jersey-based Kamco Chemical Industries. He is recognized for his work in developing ENVIROGLUV, a revolutionary new glass decorating technology. He holds memberships

in several professional organizations, including the American Institute of Chemists and American Oil Chemist Society, as well as the New York Academy of Science and the Society of Glass and Ceramic Decorators.

Mr. Kamen, a resident of Highlands, NJ, is Senior Vice President of Advanced Technology at the Revlon Research Center in Edison. Mr. Kamen spent 10 years developing and refining the ENVIROGLUV process. This process eliminates any heavy metals, solvents and volatile organic compounds from the glass decorating process. ENVIROGLUV provides both an economic and environmentally sound alternative that is superior to conventional glass decorating methods. This technology is touted as one of the biggest breakthroughs in the glass decorating business in 100 years.

Revlon Technologies is the technology licensing division of Revlon, Inc., a worldwide leader in the development and marketing of cosmetics, skin care, fragrance, personal care and professional products. The division's first product is ENVIROGLUV which uses patented and proprietary inks in a glass decorating technology based on ultraviolet light rather than old-fashion heat curing ovens. The process offers superior color, greater speed and flexibility, reduced manufacturing costs and environmental benefits.

It is an honor to recognize Mr. Melvin E. Kamen for his outstanding accomplishments. I am certain that my colleagues will join me in paying tribute to this remarkable gentleman.

DAYCARE FAIRNESS FOR STAY-
AT-HOME PARENTS

SPEECH OF

HON. FRANK R. WOLFOF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES*Wednesday, February 11, 1998*

Mr. WOLF. Mr. Speaker, I rise in support of House Concurrent Resolution 202, the Equitable Child Care Resolution. There's been a lot of talk about child care over the last few months, and I think that's good. It's good that we're talking about this subject. But my question is, is it fair and right to give tax credits only to those parents who use paid day care for their children? What about those who have made the decision to either be home with their kids, or who have their relatives caring for their children?

There are a lot of different child care proposals on the table right now, and there will probably be more to come. The administration has laid out its child care proposal. But there is something that all of these proposals have in common: They are all trying to help families, but only those families who use commercial day care. But what I would like to see is fairness for the families who don't fall under that category.

The fact is, at-home care of children is not just a thing of the past in some "Leave It To Beaver" world. The majority of families with preschool-aged kids are either caring for the children themselves or are having relatives take care of the kids. Some of these parents are working part-time, or working in "tag-team" shifts so they can both have time with their kids and avoid having to pay for someone else to care for them. Some of them have grandma or grandpa taking care of their children, or an aunt or uncle.

According to the most recent information that we have from the Census Bureau, only about a third of children under the age of 5 are in some form of paid day care while the mother works outside the home. Is it really fair to only give tax relief to that one-third of American families? What can we do to help the other two-thirds of families? Let's not forget about them.

The American family is under great financial pressure today. And a lot of that pressure is due to the burden of taxes. Who is being hit the hardest? Families with children. These last 50 years have meant a huge increase in the tax burden being placed on these Americans. In 1948, for example, a mom and dad with four kids only paid a mere 3 percent of their family income to the federal government in direct taxes. But last year, that figure had jumped dramatically. In fact, that same family had to pay almost a quarter of its income to Uncle Sam! (When you include state, local and indirect taxes, that 1997 figure leaps to about 38 percent.) This is ridiculous. And something has to be done about it. Why are we penalizing people for getting married and having children? And why, as we talk about child care proposals, are we penalizing those who are sacrificing even more by staying at home or having relatives take care of their kids?

And that's why I stand here to give my support to the Equitable Child Care Resolution, H. Con. Res. 202. I urge my Colleagues to take this step to ensure that all families will be treated fairly as we continue these discussions about day care.

USING SPACE TO ENSURE U.S. NATIONAL SECURITY

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. ROHRBACHER. Mr. Speaker, on January 15 of this year, a highly respected defense think-tank, the Center for Security Policy, held a high-level roundtable focusing on the need for American space dominance to promote U.S. national security in the next millennium. Key speakers included former Defense Secretaries Caspar Weinberger and James Schlesinger, who were joined by five retired four-star flag officers and a range of senior military officials and civilian analysts.

There was a general consensus at the conference that President Clinton's recent line-item veto of three Congressionally-sponsored programs to create advanced space technology for U.S. national security—the KEASAT, Clementine 2, and military spaceplane—was misguided, inappropriate, and unacceptable because it put U.S. national security at unnecessary risk.

The roundtable dealt with a range of issues related to space and built its theme around the growing importance that space plays in ensuring U.S. national security. Secretary Weinberger began the discussion by placing space in the broader context of U.S. national security when he noted, "since the first ballistic missile rose from the pads, space has had military uses by ourselves, by others, and by those friendly to us and those not friendly to us." In reference to the Clinton administration's recent

veto, the Secretary went on to argue, "we cannot put the country at risk by deliberate attempts to block us from the use of space or to block any attempts to develop systems that could be helpful to use in space." General Edward "Shy" Meyer, who served as Army Chief of Staff under President Carter noted that our force structure depends on space for key advantages. Admiral Wesley McDonald, former Supreme Allied Commander, Atlantic, stated, "I can't impress you enough as to how dependent on use of space the Navy is." Retired Air Force General Mike Loh, who led the Air Combat Command, stressed how "very dependent they [the military services] have become on space assets. It is almost frightening when you then turn around and look at how little we have allowed for the protection and the space superiority of those assets. As I look back over the last couple of years, we have become more and more dependent on [space] and we want to become dependent on it because, for those functions, space is a more efficient medium than the way we did it before. It is less costly in the long run, and it is better. I am all for it, provided we can maintain space superiority." In addition, conferees considered matters of procurement and policy, discussing the increasing pace of change in the commercial space markets and the impact that the proliferation of civilian space technologies will have on U.S. national security.

I want to commend the Center for holding the roundtable and encourage my colleagues to review the summary of the Roundtable's proceedings available from the Center for Security Policy at 1250 24th Street, NW, Suite 350, Washington, DC 20037 and on the Center's home page, "www.security-policy.org."

TITLE X PARENTAL NOTIFICATION ACT OF 1998

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. MANZULLO. Mr. Speaker, Good morning. I stand before you today to plead the case of a young girl and her parents from Crystal Lake, Illinois, whose lives were changed forever by an intrusive, overbearing federal government.

She was 13 years old when her 37-year-old teacher began having sex with her. A few months into the affair, the teacher—tired of using condoms—brought her to a place where he knew the young girl could get birth control products without anyone finding out: the county health department. This teacher knew that federal Title X rules prohibited clinics from notifying parents when issuing birth control drugs to minors.

When the young girl arrived at the health department, the clinic nurse gave her a shot of a powerful birth control drug that would last three months. This hormonal drug, Depo-Provera, poses severe side effects including excessive bleeding and bone loss. In fact, the ACLU protested its use in chemically castrating male sex offenders in California because of the "cruel and unusual punishment" the side effects constitute to the criminals. But yet, it is safe and appropriate for little girls. And its use is widespread. In Illinois alone, health clinics injected Depo-Provera into the veins of

young girls more than 6,500 times over a two-year period, despite the minimal testing of the drug on adolescents.

The little girl from Crystal Lake received at least two more shots of Depo-Provera from the county health clinic. And her teacher continued molesting her—all behind her parents' backs. The crime was finally uncovered 18 months later when the girl broke down and told her parents. The teacher was arrested and sentenced to 10 years in prison. The young girl spent five days a week in therapy and is recovering from effects of anorexia nervosa.

I told this little girl's story to the United States Congress last year when Congressman ISTOOK and I were trying to attach a parental notification amendment to the Title X program. I spoke of how her pain continued because the federal government had rules in place which shielded the teacher's crime. I spoke of how irate and helpless her parents felt when they learned that the federal government had cut them out of the discussion of their young daughter's sexuality. But in the end, parents lost again. The House's 220-201 vote for a toothless, alternative bill killed the Istook-Manzullo amendment and sent another message that parents are irrelevant in our society.

Shortly after our loss last September, I vowed to continue this battle to bring sanity and parental responsibility to this flawed program. And today, I come before you to announce that I have introduced two free-standing bills to give parents more protection and knowledge when their children seek birth control drugs from federally funded clinics.

The "Title X Parental Notification Act of 1998" would require clinics receiving Title X money to notify parents or legal guardians before providing minors with prescriptive birth control products, including birth control pills, IUDs, Norplant and Depo-Provera. The clinic would have to give actual written notice to parents or guardians at least five days before issuing the drugs to the girls. In addition, the bill would require the clinics to follow any state mandated criminal reporting requirements for signs of child abuse, child molestation, sexual abuse, rape or incest in their clients.

The second bill, known as the "Title X Child Abuse, Rape, Molestation and Incest Reporting Act," deals solely with the provision requiring Title X clinics to follow any state reporting requirements.

Any clinic that violates the provisions in either of the bills would lose its Title X funding.

The general argument for providing young girls with birth control products behind their parents' backs is cloaked in double standards. On one hand, we make laws to protect children from the dangers of drugs, alcohol and tobacco. But then we open them to the dangers of AIDS and other diseases by giving them the tools to have sex. We make laws requiring children to get their parents' permission for an aspirin at school, an earring or a tattoo. But then we give them confidential injections of powerful birth control drugs that carry tremendous side effects. We make laws saying parents are legally responsible for their children's actions until the children become adults. But then we rip parents from the equation when it comes to something as critical and potentially dangerous as sexuality. This doesn't make sense.

In addition to notifying parents, clinic workers must get more vigilant in protecting our

children and reporting cases of child molestation. According to my amendment, clinic workers who have any suspicions that a patient is being physically or sexually abused would have to follow the state's procedures for reporting those suspicions to police. This is especially critical considering that young girls are having sex with older and older men, according to an Alan Guttmacher Institute study. In fact, the study shows that half of the babies born to mothers between 15 and 17 years old were fathered by men 20 years or older. That is statutory rape, and that should be reported and prosecuted.

These are very straightforward, simple pieces of legislation that I bring before you today. They demand the answer to one question: Who is in charge of raising our children, parents or the United States Congress? I still have faith in the parents of our great country. They deserve a chance. The parents of a traumatized little girl in Crystal Lake, Illinois deserved a chance. Thank you.

TRIBUTE TO JOHN STOEPLER

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Ms. KAPTUR. Mr. Speaker, I rise to pay tribute to a remarkably able man dedicated to his family, his church, and his lifelong love of the profession of law. John Stoepler, professor of law, former Dean of The University of Toledo Law School, and interim President of the University, put the justice and betterment of others above all else. He died on January 19, 1998, at 66 years of age.

In his early years, John attended school in Toledo, Ohio and then his high intelligence led him to the University of Notre Dame, where he took his first degree. He never forgot his roots, though, and after serving in the army and obtaining a master's degree in law from Yale, he came back to Toledo to teach and raise his family.

His classes at the local university were the first to fill up because the students knew that John really wanted them to succeed. He greeted the challenge of teaching with energy and enthusiasm that was always evident. As former student Tom Pletz remembers, John welcomed each day of teaching with "a twinkle in his eye."

The zest that John brought to his teaching was also found in the work he did for his church as parish operations manager. His love of education and respect for people of faith were combined when he sat on the education council of the Roman Catholic Diocese of Toledo, an organization which oversees area Catholic schools.

His commitment to education did not go unnoticed; he quickly ascended through the ranks at the university's law school, becoming dean in 1983 and interim university president in 1988. He played an integral role in the expansion of the school both academically and strategically as the ground was broken for a new facility on its own corner of campus. He also became a member of the Ohio Supreme Court's commission on continuing legal education and of the national education development committee of the American Institute of Planners.

Though he dabbled in politics as an extension of his respect for the lawmaking process, his own political campaigns were not successful. He was, however, appointed to many government positions in the city, county and state, and served the community with dignity and sagacity from those posts.

Long time friend Rev. Robert Kirtland said that John thought of the ideal lawyer "as a person of integrity." That certainly describes him and earned for him the deepest respect, from a community that will never forget him.

Our thoughts are with his wife, Katherine; sons, John and Michael; daughter Charlotte; his brother and sister, Robert and Anne; and all of his grandchildren. It is our hope that they will be comforted by the prayers of a community bettered by his idealism, and a nation re-girded in its fundamental precept of justice through law.

PAYING TRIBUTE TO A FALLEN PILOT

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. HINCHEY. Mr. Speaker, I would like to ask my colleagues to join me in paying tribute to the late Lt. Col. Henry Van Winkle, U.S.M.C., who was killed last Friday, February 6, 1998.

On Friday evening Lt. Col. Van Winkle, according to the United States Marine Corps, was returning from a mission patrolling the no fly zone above Kuwait when his F-18 collided with another Marine jet. He was pronounced dead upon the USS George Washington a short time later.

Lt. Col. Van Winkle served as a member of the Marine Corps for just under twenty years. This 1974 graduate of Susquehanna Valley High School in Conklin, New York served his country with distinction. He lived as a Marine and he died serving his country.

I ask that you join me in expressing our deepest sympathies to Lt. Col. Van Winkle's widow, Cheryl, to his sons Griffen, age nine, and Grant, age three, and to his mother and brothers during this dark time. We, as citizens grateful for the service of Lt. Colonel Henry Van Winkle, U.S.M.C., join his family in mourning his passing.

RECOGNIZING THE CUYAHOGA COUNTY BAR ASSOCIATION PUBLIC SERVANT MERIT AWARD WINNERS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. STOKES. Mr. Speaker, I rise today to salute eight outstanding individuals who will be honored later this month at a special ceremony. On February 20, 1998, the Cuyahoga County Bar Foundation and the Cuyahoga County Bar Association will host the 51st Public Servants Merit Awards Luncheon. At the luncheon, the honorees will receive the Franklin A. Polk Public Servants Merit Award. The individuals to be honored are: John A. Baird;

Janet R. Dean; Angelo Lupo; Kathleen A. Moloney; Mary Ann Murray; Charles E. Sprague; James L. Toth; and Thomas F. Washington. The Public Servants Merit Award is named in honor of a distinguished lawyer, the late Franklin A. Polk. During his career, Attorney Polk was committed to recognizing the contributions of public servants. He also chaired the annual awards luncheon for 40 years.

I take great pride in saluting the 1998 Public Servants Merit Awards recipients. Each of the individuals is more than deserving of this level of recognition. At this time, I want to share with my colleagues and the nation some information regarding the honorees.***HD***John A. Baird

John Baird was born in Cleveland and graduated from Benedictine High School and Fenn College/Cleveland State University. He has enjoyed a distinguished career with the Cleveland Municipal Court which spans 21 years. He currently serves as Chief Deputy Clerk where he is responsible for the processing and servicing of garnishments, as well as assisting attorneys and the public by providing information on post-judgment actions.

Mr. Baird has been an active participant in the Boy Scouts of America for over 50 years as a Scout Unit Leader, Commissioner, and Merit Badge Counselor. He is an active member of Our Lady of Good Counsel, devoting his time to the youth ministry, religious education, and the Holy Name Society, just to name a few. He and his wife, Sandy, are the proud parents of three children: Michael, Edward and Jennifer.***HD***Janet R. Dean

Janet R. Dean was born in Cleveland and presently resides in North Ridgeville. She joined the staff of the Cleveland Court of Common Pleas in 1977 as a judges secretary. She is currently judicial secretary for Judge James D. Sweeney, Chief Justice of the Court of Appeals. Mrs. Dean is a graduate of West Tech High School. She is also an active member at Bosworth Presbyterian Church where she sang in the adult choir for 37 years.

Mrs. Dean suffered the loss of her husband, Casper, just prior to their 43rd wedding anniversary. He would have been proud to witness the upcoming awards ceremony honoring Mrs. Dean, an outstanding court employee. In her spare time, Mrs. Dean enjoys music and working on her many photo albums. She is the mother of five children; Mark, Randy, Paul, Brad and Suzanne.***HD***Angelo R. Lupo

Mr. Speaker, when the Cuyahoga County Bar Foundation and the Cuyahoga County Bar Association hold the Public Servants Awards Luncheon, Mr. Angelo R. Lupo will be among the honorees. Mr. Lupo is a resident of Rocky River, Ohio. He was born in Chicago, Illinois, and graduated from Southern Illinois University. Prior to coming to Cleveland, he was employed with the Puerto Rican Economic Development Corporation as a VISTA volunteer.

In 1975, Mr. Lupo joined the Court of Common Pleas. Currently, he serves as Bailiff to John Burt Griffin whose duties include assisting with the management of civil and criminal documents. Mr. Lupo is single and enjoys listening to music in his spare time.***HD***Kathleen Ann Moloney

Born in Cleveland, Ms. Moloney presently resides in Westlake, Ohio. She attended St.

Williams Elementary School, and Lake Catholic High School in Mentor. Prior to taking her position at Cuyahoga County Domestic Relations Court, she worked part-time at the Giovanni's Pizza Shop. Nominated by Judge Timothy Flanagan, Ms. Moloney has been employed in the court system since 1978. Currently, she serves as Payroll Officer at Domestic Relations Court where she processes payroll and benefits for approximately 105 employees. Ms. Moloney lists playing golf and spending time with her nieces and nephews as her favorite hobbies.***HD***Mary Ann Murray

Mary Murray is employed by the Cuyahoga County Probate Court as Supervisor and Deputy Clerk. She has been employed by the court system since 1967. Her responsibilities include ensuring that journal entries are properly typed, numbered and microfilmed. She was nominated by Judge John J. Donnelly.

Mrs. Murray attended St. Casimir Notre Dame Academy and graduated from St. Francis High School. She and her husband, James Edward, are the parents of James Murray, Jr., and the proud grandparents of Jimmy, Angelina and Al. Mrs. Murray's hobbies include line dancing, horseback riding, bowling and roller skating. She also loves the outdoors and plans to live on a farm someday.***HD***Charles E. Sprague

Charles Sprague was born in Bellow Falls, Vermont. He attended Brattleboro Union High School and graduated from Allegheny College in Meadville, Pennsylvania. He also attended Cleveland Marshall College of Law, being admitted to the Ohio Bar in 1982.

During his long and distinguished career in the court system, Mr. Sprague has held a number of positions. The positions include process server, probation officer, intake officer and bailiff. Currently he serves as Magistrate, where he is responsible for the Traffic Department at Juvenile Court. He also works as an Intake Referee at the Court's detention center.

One of Mr. Sprague's most outstanding accomplishments was securing funding to start Second Helping, a county-wide food collection program which is now known as Northcoast Food Rescue. He also initiated a food program within the court, "Food for Fines," which allows juveniles to pay their offenses by donating food to area hunger centers. Mr. Sprague and his wife, Rosanna, are the proud parents of Sarah. His hobbies include serving as a Cross Country Coach and Assistant Track Coach at Regina High School.***HD***James Leonard Toth

James Toth is a lifelong resident of Cleveland, Ohio. For the past 20 years, Mr. Toth has held the position of Costs Clerk in the Criminal Division, Office of the Clerk of Courts. In addition to his cost accounting duties, he provides assistance with regard to criminal bonds and filing of pleadings. Prior to his current position, Mr. Toth was a member of the Armed Forces, where he received the Good Conduct Medal before being honorably discharged. His employment also includes Arter & Hadden as a docket clerk, and was an employee of the Clerk of Courts in the foreclosure department.

Mr. Toth and his wife, Theresa are the parents of three children; Joann, Anthony and Michael. He is active in several organizations including S.S. Peter and Paul Church, the Garfield Heights Little League, the American Legion, and the Benedictine High School Mom &

Dads Club. He also enjoys model trains and baseball.***HD***Thomas F. Washington

Born in Cleveland, Thomas Washington graduated from Benedictine High School and Ohio University. Mr. Washington is employed in the Probation Department where he supervises six officers and is responsible for the oversight and guidance of their duties. Prior to his employment with the Municipal Court, Mr. Washington served as a Probation Officer in the Juvenile Court. He has also had experience as a high school English teacher.

Mr. Washington and his wife, Lugenia, reside in Cleveland, Ohio. He is the step-father of Robert. He is a former Assistant Basketball Coach. He also participated in Catholic Big Brothers for a number of years. In his spare time, Mr. Washington, enjoys fishing and pocket billiards.

Mr. Speaker, I am especially proud to recognize the 1998 Public Servants Merit Award honorees. I join the members of the Cuyahoga County Bar Foundation and the Cuyahoga County Bar Association in congratulating each of the honorees for their commitment and dedication. It is both recognized and appreciated.

REX THATCHER: PUBLISHER,
LEADER, GENTLEMAN

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. BARCIA. Mr. Speaker, our lives are influenced by many factors. Few equal the daily and life-long power that is provided by our newspapers. And the ability of a newspaper to sway, to promote meaningful dialogue, and to keep us informed of matters of local, national, and international significance is directly related to the individual at the helm of a ship that usually has diverse and sometimes conflicting purposes. Those of us who have been fortunate enough to read the Saginaw News have since 1990 benefitted from the skilled, impartial direction of its publisher, Rex Thatcher, who is about to retire from a stellar career of keeping the public informed.

For nearly thirty-five years, Rex Thatcher has motivated the people of Michigan, starting at the Jackson Citizen Patriot, where he was heavily involved in advertising and marketing efforts. He then came to the Bay City Times as manager in 1973, and then served as publisher from 1983 to 1990 when he became publisher of the Saginaw News.

Throughout his career, he has not just observed what was happening in the community, he directly participated in a number of memorable projects. He was a key leader in efforts to revitalize the Bay City downtown area. In Saginaw, he is a founding member of the Bridge Center for Racial Harmony. He has continued his personal interest in community development with the Saginaw Valley Economic Forum. Rex has also provided strong leadership for our young people, especially with his efforts for youths at risk.

His membership on the board of Directors of the Michigan Press Association extends his influence on journalistic standards throughout the state. His position on the selection committee of the Michigan Journalism Hall of Fame helps to ensure that responsible and

credible reporting will be recognized by his professional peers.

It has been my personal pleasure to know Rex Thatcher, and his wonderful wife of forty six years, Yvonne. The importance that Rex places on his family, including his grandchildren, is a key demonstration of an individual who not only endorses a style of life, but actually pursues it.

Rex Thatcher has been appropriately generous in his praise of the fine men and women who are part of the Saginaw News family. We all expect that his influence will continue to show in their work. Perhaps he will now have the time to pursue his love for the outdoors, especially fly fishing, and greater opportunities to let his grandchildren know just how special their grandfather is. Mr. Speaker, I urge you and all of our colleagues to join me in wishing Rex Thatcher the very best in his retirement.

CHINA AND CHARLIE TRIE'S
RECORDS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. SOLOMON. Mr. Speaker, I don't like being played for a sucker, and I don't like my country being played for one, either.

Well, Mr. Speaker, that's what China's been doing to us for years, taking our money and enjoying privileges that should be limited to civilized states, all the while sabotaging our economy, meddling in our politics, and arming nations that hate us.

Monday's headline in the Washington Times was the last straw, Mr. Speaker. It reads "China won't release Trie's bank records." And we all know who Charlie Trie is, don't we, Mr. Speaker? He was a bag man for the DNC/Clinton-Gore Campaign. And what better place to hide from American justice than China, which has been stiffing our investigators from the beginning. China claims that the records our investigators seek belong to the government, and that releasing them would violate Chinese law. Baloney! Since when has China ever shown such a high regard for the rule of law? China doesn't want to release those documents because they would show the extent to which they tried to influence American elections, with the likely complicity of the White House. And that, Mr. Speaker, is what really bothers me even more than the other scandals now dominating the headlines.

This, Mr. Speaker, is what we get for our multi-billion dollar generosity with China, and our willingness to grant her Most Favored Nation trading status.

I call upon China to turn those documents over to our investigators, and to do so now. This is one member who won't forget any failure to do so when MFN comes back to us for consideration next summer.

Mr. Speaker, I would urge all members to keep the Times article handy until next MFN vote, and with that in mind I place the article in today's RECORD.

[From the Washington Times]

CHINA WON'T RELEASE TRIE'S BANK RECORDS—HOUSE INVESTIGATORS CAN'T GET ACCESS

(By Jerry Seper)

The Chinese government, which blocked congressional investigators from traveling to Hong Kong and Beijing to probe campaign-finance abuses during the 1996 election, has refused to release records from two Chinese banks targeted in the ongoing investigation.

Investigators, according to House sources, want to look at financial transactions at Bank of China branch offices in Macao and Hong Kong involving Democratic fund-raiser Charles Yah Lin Trie and Ng Lap Seng, a Macao real estate and casino tycoon also known as Mr. Wu, who visited the White House 12 times, including a dinner with President Clinton sponsored by the Democratic National Committee.

The banks, however, refused to release the documents, saying that they were owned by the Chinese government and that releasing them would violate Chinese law.

Last week, four investigators for the House Government Reform and Oversight Committee were scheduled to leave for China but were blocked by Chinese Embassy officials in Washington who rejected their visa applications. The denial prompted Rep. Dan Burton, Indiana Republican and the committee's chairman, to ask Secretary of State Madeleine K. Albright to intervene in the matter.

In a letter to the committee, the bank's U.S. attorney, Christopher Brady, said that since the financial institution in owned by the Chinese government, it is "deemed to be a foreign state" under international law. Accordingly, he said, the bank is "immune from U.S. jurisdiction"—including any responsibility to respond to subpoenas issued by the committee.

"While the bank would like to try to help your committee as far as practicable, it does not believe that this extends to violating the laws of the jurisdiction where the documents are located," Mr. Brady wrote.

The New York lawyer said in an interview that while he was not aware of what the committee planned to do about the bank's refusal, he said the position "has support in the law."

Committee investigators were described by the sources as "frustrated" in their attempts to pursue accusations that the Chinese government sought to influence the U.S. political process during the 1996 presidential election.

Embassy spokesman Yu Shuning said China "has nothing whatsoever to do with the political contributions" in the United States.

Mr. Burton, the sources said, is expected to appeal directly to the Chinese Embassy for an exception to allow the banks to respond to the subpoenas. Failing that, they said, he will ask the Justice Department to seek a waiver from Mr. Trie to obtain his records directly from the bank.

Mr. Trie and a business associate, Antonio Pan, face trial Oct. 7 on 15 counts of obstruction of justice, conspiracy and wire fraud.

The indictment says Mr. Trie and Mr. Pan illegally diverted money to the DNC through "straw donors," who were then secretly reimbursed in cash by the two men. Mr. Trie also is accused of funneling more than \$600,000 to the DNC. The indictment says much of the money came from foreign sources.

Mr. Trie, who fled to China after the probe began, returned to Washington Tuesday. He has pleaded not guilty.

About \$1 million was wired from the Bank of China to the joint account of Mr. Trie and

Mr. Ng at Riggs Bank here, Senate investigators have said.

Mr. Trie came to public notice in 1996 when Mr. Clinton's legal defense fund announced it was returning \$640,000 in donations he had collected. Fund executives said they did not know the source of cash delivered in two envelopes. Donations included checks with signatures that matched those on other checks and money orders numbered sequentially but from different cities.

White House records show that Mr. Trie's campaign activities won him unusual access to top administration officials to promote personal business interests, including 10 dinners, lunches or coffees with Mr. Clinton, four of them at the White House; four events with Vice President Al Gore, one at the White House; and three White House tours with business associates, along with photos with the president.

Documents show that Mr. Ng visited the White House 12 times, including the dinner with Mr. Clinton. He went six times to see White House aide Mark Middleton, who left the administration in 1995 and is under investigation.

Records also show that on Feb. 6, 1996, Mr. Ng took a tour of the White House with seven other Asian visitors, including Wang Jun, a reputed arms dealer for the Chinese government who Mr. Clinton later acknowledged never should have been granted access.

1998 CONGRESSIONAL OBSERVANCE OF BLACK HISTORY MONTH

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Mr. COSTELLO. Mr. Speaker, I am grateful for the opportunity to celebrate Black History Month with my esteemed colleagues today.

Black History Month marks a time in which we may all formally revisit the vast contributions and achievements of African-Americans to our country's rich history. Indeed, the legacy of the founder of Black History Month, Dr. Carter G. Woodson, is that of a poor man, who triumphed over adversity to earn a doctorate from Harvard and devote his life to teaching and recording the history of African-American life.

I would like to use this occasion to highlight two figures from my district in Illinois, whose personal talents and accomplishments have been matched by their dedication to aiding their communities.

Katherine Dunham was born in the beginning of the 20th century. She quickly established herself as a woman of enormous integrity and passion, for the humanities and social causes, which held such salience for her. She enjoyed a prominent place in the performing arts world as a choreographer combining Caribbean dances, traditional ballet, and African-American rhythms to create a dance known as the Dunham technique. Dunham's reputation as an accomplished dancer earned her engagements to dance in over 55 countries.

Dunham was unsatisfied, though, simply with the respect she had gained as a performer; Throughout the later part of her life, Dunham became engrossed in finding avenues to help others. In the arts field, she developed a school called the Performing Arts Training Center in East St. Louis. This school

offered African Americans the opportunity to become involved in the arts and learn about African cultural history. Recently, in the early 1990's, Dunham has also become a strong advocate for the welfare of the Haitian people.

Another public figure from my district has also challenged herself to find ways to act on her principles and leave a legacy of aid to her community. Jackie Joyner-Kersey, is an Olympic Champion who continues to make history with her remarkable athletic achievements. Nevertheless, it is her current work that has fueled her pride that she is actively giving back to communities across America.

In 1989, Joyner-Kersey founded the JJK Foundation which provides grants for leadership training for individuals in urban cities. One of her chief goals is to eventually provide a Youth Center to her home town community of East St. Louis, Illinois. She says she hopes to show that while:

There is discrimination. I know there is racism. There are things we don't have control over. But we do have control over our dreams and goals.

I hope we will all take time this month and throughout the year to recognize the many diverse contributions of African-Americans to our Nation's history. In so many ways, the qualities that all Americans hold dear such as strength, perseverance, ambition and integrity are evident in the lives of those African-Americans, and illustrate W.E.B. Dubois' belief that "The guiding of thought: and the deft coordination of deed is at once the path of honor and humanity."

THE 1999 BUDGET

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 11, 1998 into the CONGRESSIONAL RECORD.

THE PRESIDENT'S 1999 BUDGET

Last week President Clinton submitted to Congress his 368-page 1999 budget. In it he proposes to balance the federal budget next year—four years ahead of the target set in last year's historic budget agreement. If successful, the budget would be balanced for the first time in thirty years.

The annual budget is the most important government document. It is a plan for how the government spends your money, and a plan for how the government pays for its activities. It affects the nation's economy, and it is affected by that economy. If the economy is doing well, people earn more, unemployment is down, revenues increase, and the deficit shrinks. The President's budget is typically a master plan to focus the nation's attention on a President's priorities.

A few years ago it was nearly impossible to think that an American president would submit a balanced budget this soon. It marks an end to decades of deficits that have paralyzed our politics, shackled the economy, and held the American people back. A balanced budget would mark the beginning of a new era of opportunity for Americans.

The President projects revenues of \$1.74 trillion, spending of 1.73 trillion, and a surplus of \$10 billion. For each tax dollar taken in the President would spend 53 cents on benefits such as Social Security and Medicare,

15 cents on defense, and 16 cents on other domestic programs (education, transportation, law enforcement, etc.). International programs take 1 cent, and interest on the debt consumes 14 cents. The President would reserve 1 cent of each dollar for Social Security reforms, reducing the publicly-held federal debt in the process.

The economic assumptions used by the President seem sound. The President estimates that the economy will slow from 3.7% growth last year to 2% in 1998 and 1999, and that inflation will remain low. This is reasonable, even conservative, compared to most economists' forecasts. However, a recession would put great strains on the federal budget.

Major Themes: As in past years, the largest spending increases come in Social Security and health benefits. In the remainder of the budget, only research, education, and law enforcement rise faster than inflation. Spending in other areas is cut back to make room for these increases.

The major initiatives of the President's budget include a voluntary expansion of Medicare to persons age 62 to 64, provided they pay for their benefits; reducing elementary school class size with 100,000 new teachers; expanding child care tax credits for employers and families; and tax credits and research funding to reduce and protect against global warming.

Research: The President proposes unprecedented increases in research funding for science and technology. The budget requests almost \$80 billion for military and civilian research programs combined. The National Institute of Health, the Department of Energy, and the National Science Foundation have sizable increases in their budgets for medical research, energy efficiency, climate studies, and science education. I support investment in research as an investment in future economic growth.

Social Security: The President proposes to "Save Social Security first" by placing any budget surpluses in a reserve to help reform Social Security. I agree that Social Security should take priority over calls to finance additional spending or tax cuts. I do not think we should squander a surplus that has yet to appear when we have a large national debt and long-term problems with Social Security.

There will be a heated discussion in Congress about the use of possible budget surpluses. Reducing the debt and protecting Social Security would reduce interest payments and raise private investment in the economy. The President's plan puts an obstacle in the way of others who want to give away the surpluses in a sweeping tax cut.

Tobacco: The President proposes to take \$13 billion a year from a proposed tobacco settlement to fund a number of education and health initiatives. The exact source of funds in a settlement is not clear—the original settlement suggested that tobacco companies pay the government large yearly sums, but others have proposed a substantial increase in cigarette taxes. These revenues are highly speculative and uncertain because payment would only come from an overall settlement approved by Congress. If the tobacco settlement does not come through the President has indicated he will find other sources to support his domestic initiatives, or will drop them all together. This adds pressure to approve a settlement.

Next Steps: Congress will begin work on the budget as the House and Senate budget committees form a template budget resolution to lay the groundwork for additional congressional action. Congress will vote on the budget resolution in late spring, and the detailed spending and tax bills will be finalized over the summer. A final budget rec-

onciliation bill is supposed to be completed by the end of the fiscal year September 30. If Congress and the President fail to work out their differences by this date, they must pass a "continuing resolution" or see the government shut down.

Conclusion: The President's budget is artfully crafted. It carefully balances increases in popular programs with fiscal discipline elsewhere. The booming economy, aided by tough deficit reduction packages in 1993 and 1997, has enabled the President to make a strong statement of policy and politics. The opponents of the President's budget have not rejected his proposals out of hand. They offer alternatives to meet the nation's problems, such as school vouchers, larger tax credits, business incentives, and other devices. Although there is some sweeping rhetoric about differences with the President, there is strong bipartisan support for action on child care, education, and tobacco. The stage has been set for a dynamic and important debate about the future of the country.

STATEMENT OF THE HONORABLE PETE SESSIONS, THE HONORABLE DICK ARMEY, THE HONORABLE JOE BARTON, THE HONORABLE MARTIN FROST, THE HONORABLE KAY GRANGER, THE HONORABLE SAM JOHNSON, AND THE HONORABLE EDDIE BERNICE JOHNSON TO ENCOURAGE THE DIRECTOR OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY TO DESIGNATE NORTH TEXAS A HIGH INTENSITY DRUG TRAFFICKING AREA

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. SESSIONS. Mr. Speaker, my colleagues Congressman RICHARD ARMEY, Congressman JOE BARTON, Congressman SAM JOHNSON, Congresswoman EDDIE BERNICE JOHNSON, Congresswoman KAY GRANGER, and I wish to inform other members of the House of Representatives about a situation in the greater Dallas/Fort Worth metropolitan area which demands our attention.

Drug abuse and illegal drug trafficking are a major problem in the Dallas/Fort Worth area, as they are in all other parts of the country. However, there is evidence that points to the establishment of the area as a major transshipment point for major drug trafficking operations. For instance, major Colombian and Mexican drug trafficking organizations have established significant transshipment operations in the Dallas/Fort Worth metropolitan area.

Law enforcement agencies in North Texas have reported dramatic increases in the importation, transportation, and distribution of heroin, methamphetamine, cocaine, and marijuana. And the increased drug trafficking active in the area has become a breeding ground for the proliferation of street gangs and related violent crime.

But, Mr. Speaker, despite the powerful statistics, what brings these problems home to us is the deaths of children recently in and around Plano, Texas. As the Dallas Morning News wrote in a recent editorial, "At least a dozen young people from the Plano area have

died from heroin-related overdoses since 1996." Just this week, we lost 17-year-old Natacha Marie Campbell to a heroine and cocaine overdose. This just adds a tragic, human dimension to our fight against illegal drugs.

Although the law enforcement community has obtained significant convictions and sentences against major drug traffickers, the increased drug activity in North Texas is overwhelming current law enforcement resources. We urge the Director of the Office of National Drug Control Policy to commit the necessary resources to the fights against drugs in the Dallas/Fort Worth area by making North Texas a High Intensity Drug Trafficking area. This crucial designation will mean greater resources or and coordination among area law enforcement agencies. It will help the parents in the Dallas/Fort Worth area take control of this problem.

Mr. Speaker, I would like to submit for the record a resolution recently passed by the Greater Dallas Crime Commission which makes similar points, and urges the Director of the Office of National Drug Control Policy to designate North Texas a High Intensity Drug Trafficking Area.

GREATER DALLAS CRIME COMMISSION RESOLUTION

Whereas: Major Colombian and Mexican drug trafficking organizations have established significant transshipment operations in the Dallas/Fort Worth metropolitan area (the "Metroplex") and North Texas generally since the early 1990's; and

Whereas: Law enforcement agencies in North Texas have reported dramatic increases in the importation, transportation and distribution of heroin, methamphetamines, cocaine, and marijuana into the area since the early 1990's; and

Whereas: Law enforcement seizures of heroin in North Texas have increased by more than 500% in recent years, and the purity of the heroin on North Texas streets has increased dramatically and lethally; and

Whereas: The increased drug trafficking active in the area has become a breeding ground for the proliferation of street gangs and related violent crimes including theft, robbery, prostitution, assault and murder; and

Whereas: The impact of the increased drug activity in North Texas has resulted in an increase of drug overdose deaths in the area, with most of the victims being teenagers or younger; and

Whereas: Although the law enforcement community has obtained significant convictions and sentences against major drug traffickers, the increased drug activity in North Texas is overwhelming current law enforcement resources; and

Whereas: Designation of North Texas a High Intensity Drug Trafficking Area by the Director of the Office of National Drug Control Policy will mean greater resources for and coordination among area law enforcement agencies to combat drug trafficking organizations; and

Now therefore, the Greater Dallas Crime Commission urges the designation of North Texas as a High Intensity Drug Trafficking Area.

In Witness Whereof This Twenty-second Day of January, 1998.

CULLEN M. GODFREY,
Chairman.
NICKIE MURCHISON,
Executive Director.

TRIBUTE TO SGT. HERMAN SMITH:
WE WILL NEVER FORGET

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. ROGERS. Mr. Speaker, on February 20, 1998, Sgt. Herman Smith of Williamsburg, Kentucky, and nine other World War II crewmen of the B-24H "Liberator," serial number 42-95064, will be buried with full military honors at Arlington National Cemetery.

This ceremony is a long-overdue recognition of the honor, bravery and devotion displayed by ten World War II servicemen who lost their lives nearly 54 years ago when their plane crashed in northeastern Brazil on April 11, 1944.

At 9:05 a.m. on that fateful day, 42-95064's pilot requested weather information. That was the last word from 42-95064 and her crew.

Today, no one quite knows where the crew of 42-95064 was heading, what their mission was, or why the plane went down. For 51 years, no one even knew where the plane and her crew were. Sgt. Herman Smith's mother passed on without ever knowing what happened to her boy. Like thousands of other mothers, fathers, wives, sons and daughters whose loved ones were listed as missing in action, Mrs. Smith lived her life with an empty place in her heart, never knowing the fate of her son.

Although Herman Smith and thousands of other American servicemen have been listed as missing, they have never been forgotten. Over the years, we have continued efforts to discover the fate of American service members lost during times of war. And, with the help of the Army Central Identification Laboratory in Hawaii, hundreds of missing servicemen have been identified, providing their families with peace of mind and final resolution.

That is the story of the long-lost crew of 42-95064. During the 1990s, reports started coming back of plane wreckage in an uninhabited, isolated area of the Amazon jungle. After a 1994 search party failed to find the site, officials finally confirmed the plane's location. On Independence Day 1995, a 15-man team from the U.S. Army Central Identification Laboratory arrived in Brazil to begin the arduous process of bringing our boys back home.

Next week, the 10 crew members of 42-95064 will be placed in their resting place after 54 long years. Phyllis Bowling of Williamsburg, a first cousin of Sgt. Herman Smith and his closest living relative, will attend the service. For the people of Williamsburg, Kentucky, this service means that one more man, whose name has been forever captured on the VFW Post 3167's memorial commemorating those killed from Whitley County during the Great War, will finally receive the military honors he deserves.

Every day, men and women from counties all across our nation volunteer, like Herman Smith did, for one of the most important jobs America has to offer—military service in the United States Armed Forces. These men and women have so much faith, honor, love and respect for this nation that they are prepared to sacrifice their lives in order to preserve and protect the United States and all that she stands for.

In turn, we must remain committed to them. We must support our service personnel in

times of war and times of peace. We must help their loved ones cope with the demands and stress placed upon them as military families. We must honor them after they return from service, and if they don't return, we must be dogged in our pursuit to bring them home. But, most important, we must never forget the sacrifices they have made.

We should remember, because every man and woman who has served in this nation's armed forces has helped secure the peace that we enjoy today. In times of peace and war, American's military personnel have been a beacon of hope in the darkness of conflict. They answered the call of service, prepared to make the ultimate sacrifice in the line of duty. The next generation must know about the courage, honor and strength of the men and women who gave their lives for us. Our service members must know that we will never forget.

Mr. Speaker, so everyone will remember the story of the men on B-24H "Liberator," serial number 42-95064, I ask that a newspaper article appearing in the Whitley Republican-News Journal in Williamsburg, Kentucky, be printed here, for everyone to read.

May God bless all the men and women who serve in America's Armed Forces, and may God bless the United States of America.

[From the News Journal—February 4, 1998]

LOCAL MAN WAS BALL TURRET GUNNER ON
LONG-LOST WWII B-24H BOMBER

Somewhere in some foreign field, The gunner sleeps tonight . . .

But we cannot write off his final scene—Hold onto the dream . . .

"The Gunner's Dream," Pink Floyd, 1982

(By Philip A. Todd)

Like thousands of his fellow World War II servicemen, a Williamsburg man listed as missing in action (MIA) for over a half century will never come home.

However, after making the ultimate sacrifice for their country, Sgt. Herman Smith and the nine other crewmen on his B-24H bomber will finally receive the remembrance they earned with their lives.

The remains of the ten Army Air Corps aviators, who died on April 11, 1944 when their plane crashed in northeastern Brazil, will be buried Feb. 20 with full military honors in Arlington National Cemetery, official sources said.

Sadly, this recognition comes much too late for most of those who waited in vain for news of their loved ones—while for 51 years, the bomber's crash site remained lost, hidden in a dense and uninhabited region of the Amazon jungle.

Smith's mother, Martha E. Smith of Cumberland Ave., Williamsburg, apparently died years ago; and now, no one at Veterans of Foreign Wars Post 3167 seems to remember him.

His name appears on the VFW's memorial outside the courthouse, along with the other Whitley County men listed and killed during the Great War. Other than that, there has been nothing but silence surrounding Smith, the plane's ball turret gunner, and his crewmates for nearly 54 years.

DO YOU READ ME, 42-95064?

As the Allied war effort in Europe escalated towards the "longest day"—the actual invasion of Hitler's "Fortress Europe" on D-Day, June 6, 1944—America and her allies mounted heavy bombing raids throughout Axis-held Europe, North Africa and Italy.

Daily aircraft losses reaching 50 percent in some raids meant new, replacement planes moved in a steady stream from American factories to the front.

Secrecy concerns kept security so tight that even the very crews flying these replacement aircraft didn't know where they were going; and after a half-century, memories have dimmed and files have disappeared—so no one may ever know the complete story of Smith and the men on B-24H "Liberator," serial no. 42-95064.

Exact details remain a mystery; however, Smith's aircraft was apparently headed for duty in Europe by way of a series of refueling stops leading from the U.S. to Africa by way of South America when it crashed in the Brazilian jungle.

This ferry route enabled new planes to replace lost combat aircraft in a matter of a few days, instead of the weeks it would take to ship them across the Atlantic Ocean.

After probably flying from Colorado Springs to Florida and then south to Trinidad, Smith's B-24H reportedly left Trinidad's Waller Field at 6:09 a.m. April 11, 1944, enroute to Belém, Brazil.

Around 9:05, about an hour from Belém, 42-95064's pilot, 2nd Lt. Edward J. Bares, reportedly requested weather information.

A ground station in Brazil responded with a report, but heard nothing further from the plane.

Nothing further was ever to be heard from 42-95064.

LOST BUT NOT FORGOTTEN

"We were on the same route, departing probably the 16th of April," remembers R.F. "Dick" Gelvin, a B-24 navigator whose aircraft took the same route to the front only days later.

"I don't remember them telling us about having lost an airplane in the previous week."

"I do recall them telling we navigators, we would have enough fuel that we could follow the (South American) coast if we wanted to do so, but that over the (Brazilian) jungle would be closer," he said.

"After a crew discussion, we opted to take the 'great circle' (globe-line) route, over the jungle."

Apparently 42-95064's navigator, 1st Lt. Floyd D. Kyte Jr., took the same shortcut to Belém, but the plane crashed some 250 miles short of that Brazilian port city.

Authorities have never issued an official explanation for the crash.

The aircraft remained lost until the 1990s, when a group of gold prospectors reportedly stumbled across it.

A joint expedition by the Força Aérea Brasileira (FAB, Brazil's air force), and the U.S. Army located the crash site and recovered the crew's remains in July 1995.

"They told me that the place was 150 miles off course," said James K. Leitch, whose brother, Staff Sgt. John E. Leitch, was 42-95064's flight engineer.

James Leitch, also a World War II veteran, said he contacted government officials in 1995 after reading a short news report that the plane had been found.

"They don't know why it went down, but it could have run out of gas."

"They feel that the whole crew was killed on impact," he said.

A HALF-CENTURY'S SILENCE

When 42-95064 and its crew of 10 went down in April 1944, James Leitch was a 19-year-old infantryman waiting to be shipped to duty in the Pacific.

His company commander called him to the office and told him he needed to go home to Los Angeles.

There, his parents told him his brother was reported missing in action somewhere in the Brazilian jungle.

About a month later, A Brazilian native reportedly told officials he had seen the wreckage of a four-engine plane and six bodies, but the man disappeared before anyone

could verify his story, said Peter Muello, an Associated Press writer in 1995.

Shortly after that initial report, a British man told authorities he had found the plane, and even reported the aircraft's correct identification number, said Muello.

The Leitch family never heard about either of these sightings.

A letter to Leitch's parents from a Brazilian official, dated July 14, 1944, said American authorities were searching "where the plane is supposed to have made a forced landing."

Five years later, Leitch's mother contacted a U.S. vice-consul in Belem, who told her that tribes in the area were friendly, and if anything had been found, they would have contacted the Brazilian authorities.

During that same time year (1949), the Los Angeles Times reported that the U.S. Adjutant General's Office issued the statement that "no evidence has been submitted that any of the crew parachuted to the safety, nor has any indication been received that the men were found by natives."

"Any that was all we heard," said Leitch. "My mother went to her grave believing her John was still alive, somewhere in the jungle," he said.

After these reports, no official statements about 42-95064 were made until 1995, when Brazilian army authorities said their 3rd Jungle Infantry Battalion discovered the wreckage in August 1994 and brought back "a leather artifact" that one official said was probably part of a crewmember's flight jacket.

But in December 1994, a joint search party mounted by Brazil's air force and the U.S. Embassy to Brazil failed to find the site.

Finally, officials confirmed the site; and on Independence Day, 1995, a 15-man salvage team from the U.S. Army Central Identification Laboratory arrived in Brazil to join a Brazilian army expedition to travel to the site and recover anything that was left.

"BRING THE BOYS BACK HOME"

When millions of Americans sang along with war-era stars like Vera Lynn and Glenn Miller, hoping that "We Will Meet Again" and praying to "Bring The Boys Back Home," few would dream their government and their tax dollars would still be busy trying to do exactly that, more than 50 years later.

Thanks to the ongoing mission of the Army Central Identification Laboratory in Hawaii (CILHI), many missing servicemen—especially from Vietnam—have been positively identified from even the smallest of remains, after a process involving long hours of scientific analysis.

Apparently, that's where 42-95064's crew has been since the summer of 1995, while U.S. Army officials attempted to track down next-of-kin for each man.

An FAB (Brazilian air force) team prepared the site, and assisted the CILHI researchers during a three-week recovery effort in a dense jungle area some 50 miles northeast of the Amazon River city of Macapá, located about 250 miles northwest of the plane's destination, Belém.

Searchers found two sets of "dog tags" and numerous bone fragments at the site, said Johnie Webb, a CILHI civilian deputy commander.

"It is, very dense jungle," he said, adding that "all 10 (crewmen) perished in the aircraft."

Two weeks of digging at the crash site brought nothing, Leitch said officials told him.

"They had dug several meters deep and were starting to lose hope, when suddenly, they started finding bones, rings, necklaces and dog tags with names and ranks written

on them," said Fernando Allegretti, a spokesman for the Brazilian state of Amapá, where the plane crashed.

One investigator found a wallet, and another found several 1944 dollar bills, he said.

The high-speed impact of the crash meant little was left of the aircraft, and most of it—spread over a wide area and undisturbed for 51 years—will never be recovered, officials said.

After three weeks, the team recovered the remains of all 10 on board.

Officials then held a memorial service for the crew at Macapá, capital city of Amapá.

A short time later, CILHI forensics experts confirmed the remains were, indeed, those of the long-lost crew of 42-95064.

GIVE THEM PEACE

After more than two-and-a-half years of attempting to find surviving relatives of the crew, the U.S. Army has apparently decided against returning the remains to the families.

"I made call after call" to the authorities, said Leitch after hearing of the plane's discovery in 1995.

"I was told they were going to use a DNA process to identify each man," he said.

"We wanted him (John) buried out here in Los Angeles, with my parents."

Leitch said the family has kept a burial plot for John all these years.

However, last month's announcement of plans for the Feb. 20 group burial in Arlington put an end to each family's own hopes for closure.

Army officials apparently identified Peggy Bowling, a Williamsburg woman who is Smith's first cousin, as Smith's closest living relative.

Bowling and another Whitley County resident are expected to attend the Feb. 20 ceremony.

Leitch said the government is arranging to fly family members to Washington for the event.

The 42-95064's crew included:

2nd Lt. Edward I. Bares, pilot, Chicago; Flight Officer Robert W. Pearman, co-pilot, Miami; Flight Officer Laurel Stevens, bombardier, Monroe, Iowa; 1st Lt. Floyd D. Kyte Jr., navigator, Elmira, N.Y.; Sgt. John Rocasey, nose gunner, El Monte, Cal.; Staff Sgt. John E. Leitch, engineer, Los Angeles; Sgt. Michael Prasol, tail gunner, Northampton, Mass.; Sgt. Herman Smith, ball turret gunner, Williamsburg, Ky.; Sgt. Max C. McGilvrey, upper gunner, Perkins, Okla.; and Staff Sgt. Harry N. Furman, unknown replacement, Dayton Plains, Mich.

Furman, not part of the plane's original crew, replaced the crew's radio operator. Staff Sgt. Abe Shepherd of Ohio, on the fateful flight

"It is likely that the ground crew chief may well have replaced one of the gunners, who would have gone by sea," said Kevin Welch, a B-24 veteran.

"Occasionally, some positions were manned by non-crew members," said John Jakab, another B-24 veteran.

For example, he said, "my co-pilot crossed over by ship. My co-pilot for the overseas flight was our unit operations officer."

Shepherd's fate is not known—and, after all these years, there aren't that many people still around who remember the lost crew of 42-95064.

But some will never forget them.

"I have mixed feelings" about the upcoming ceremony, said Leitch.

The Leitch brothers, born 17 months apart, "used to double date" in their young days in southern California, he said.

"I'm happy that it's coming to a close, but I really miss him. It still bothers me."

UNABLE TO ATTEND ROLLCALL VOTE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Ms. ROS-LEHTINEN. Mr. Speaker, I regret that due to unforeseen circumstances I was unable to vote on H. Res. 352 (Rollcall No. 12). If I had been present, I would have voted "Aye".

TWO YEAR ANNIVERSARY OF THE TELECOMMUNICATIONS ACT OF 1996

HON. SUE MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mrs. MYRICK. Mr. Speaker, I rise today to commend the Federal Communications Commission on their newly demonstrated spirit of cooperation as they continue to implement the Telecommunications Act of 1996.

We are beginning to see the spirit of the new faces on that Commission. There is no question that the new members of the FCC have a lot of work to do—particularly as they work through what their predecessors started in the process which will allow local phone companies into the long distance market.

Until just recently, the 14-point check list, designed to ease the long distance entry process, has been a constant source of confinement for local service providers. They have been forced into the courts to seek refuge. The courts have ruled in favor of the local companies.

After such a long string of slanted rulings, clearly issued in defiance of the will of this Congress, I am pleased to see that the FCC is singing a new tune. I look forward to seeing those new words develop into new actions—actions that will fulfill the 2 year old promise of lower prices and more choices for American consumers.

1998 CONGRESSIONAL OBSERVANCE OF BLACK HISTORY MONTH

SPEECH OF

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Mr. COYNE. Mr. Speaker, I am pleased to join my colleagues in this special order celebrating Black History Month. I would like to express my appreciation to Representatives LOUIS STOKES and MAXINE WATERS for organizing this special order, which provides the Members of the House with an important opportunity to participate in Black History Month.

The United States has officially commemorated Black History Month and its predecessors can be traced back an additional 50 years to 1926, when Dr. Carter G. Woodson, a prominent educator, historian and author, created Negro History Week. Since then, each February has been a time when Americans are called upon to educate themselves about

the contributions that African Americans have made to all aspects of American life and culture—and to consider the complicated role that race and racism have played in our nation's history.

The Association for the Study of Afro-American Life and History, an organization that Dr. Woodson established in 1915 to promote a greater understanding and appreciation of the contributions that African Americans have made to this country, has selected "African Americans in Business: The Path Toward Empowerment" as the theme for this year's observance of Black History Month.

This is a most important topic because as many Americans of different racial and ethnic backgrounds have learned, economic power leads to political power. The experiences of many well-known African Americans illustrate how business success can lead to political empowerment.

Paul Cuffe was a seaman and shipowner in Massachusetts during and after the Revolutionary War. He built, commanded, and invested in a number of vessels during his long career. His activity as a black captain of a black crew shattered many widely held perceptions about African Americans. He started out in fishing, but his business ventures slowly expanded to include the coastal trade along the Atlantic coast, international trade, and whaling voyages in distant waters. At the time of his death, his shipping empire conducted trade with Europe, Asia, and the West Indies. Mr. Cuffe was politically active at an early age. He joined other African Americans in protesting their treatment under the Massachusetts Constitution of 1778, which held them liable for taxes even as it refused them the right to vote. As a result of their efforts, a court decided in 1783 that African Americans did have the right to vote in Massachusetts. Most of his political activity, however, came later in his life, after he had made his fortune. Mr. Cuffe used his wealth to support efforts to establish African American settlements in Sierra Leone. He established the Friendly Society to finance this endeavor, and he traveled to England and Africa to promote it. He also met with Treasury Secretary Albert Gallatin and President James Madison to seek their help. His business success enabled him to successfully pursue his political goals.

Another notable African American whose business success empowered him was James Forten. Born free in Philadelphia, the grandson of a slave, Mr. Forten attended an abolitionist school until the death of his father forced him to drop out to support his family. After serving on a privateer during the Revolutionary War, Forten apprenticed himself to a white sailmaker, Robert Bridges. He rapidly proved his ability, and Bridges made him his foreman. When Mr. Bridges retired in 1798, Mr. Forten took over the business, operating a racially integrated workplace with nearly 50 employees. Mr. Forten became a wealthy man, and he used his wealth to pursue political change. He circulated petitions protesting the fugitive slave laws. He published pamphlets opposing proposals to prohibit free blacks from settling in Pennsylvania. He was an active abolitionist, and he provided more financial support to the abolitionist cause than anyone except Arthur and Lewis Tappan. Even when he was not allowed to vote because of his race, his white employees voted for the candidates he supported on his behalf.

William Leidesdorff was another African American whose business success led to empowerment. Born on the West Indian island of St. Croix, Mr. Leidesdorff became a naturalized citizen of the United States in 1834 and began working as a ship's captain—sailing out of first New Orleans and then New York. One of his voyages left him in California, which was at that time part of Mexico, in 1841. Mr. Leidesdorff settled down in Yerba Buena, a little seaside town that would one day be renamed San Francisco, and he started a business selling local supplies to ships and importing goods which he sold to the other settlers. His business prospered, and he built the first hotel in San Francisco. As a result of his prominence in the community, Mr. Leidesdorff was appointed the American vice consul for the Port of San Francisco in 1845. Over the course of the next year, he was active in the efforts to secure California's independence from Mexico. Mr. Leidesdorff collaborated with Captain John Fremont, Commander John Montgomery, and Commodore John Sloat in driving the Mexican government out of California and in making California part of the United States. He was elected to the first San Francisco city council in 1847, and he served on the committee that set up San Francisco's first public schools. In short, his business success led to become an influential and respected community leader.

John Merrick was born into slavery in Clinton, NC, and worked for a number of years as a hod carrier and brick mason before becoming a barber and opening a barber shop in Durham, North Carolina, in 1880. The barber shop prospered, and he opened several other barber shops. Mr. Merrick became involved in providing insurance to the African American community, and he founded the North Carolina Mutual Life Insurance Company in 1898. From a modest initial investment of \$350, the company grew and grew. At the time of Mr. Merrick's death in 1919, the company's policies provided more than \$16 million worth of coverage. Mr. Merrick also worked successfully to establish a black-owned and operated bank, drug store, real estate company, and textile mill in his home of Durham, NC. Mr. Merrick became one of the leading black businessmen in the post-Reconstruction South, and he used his prominence and connections to help establish Lincoln Hospital, one of the best private hospitals for African Americans in the Jim Crow South.

Charles Clinton Spaulding left his family farm in North Carolina in the late 1800's to get an education. He began his career toiling as a dishwasher, bellboy, waiter and cook while he studied with children half his age to get the equivalent of a high school education. He persevered, and he eventually graduated from Whitted Grade School in 1898 at the age of 24. He took a job as the manager of a black-owned grocery company, but the business failed and Mr. Spaulding was plunged into debt. Despite this adversity, Mr. Spaulding persevered. He was hired by Jon Merrick in 1899 as the first employee of the North Carolina Mutual Life Insurance Company, and largely through his hard work and innovative marketing, the company was very successful. Mr. Spaulding became president of the company in 1923. At the time of his death in 1952, the company employed over 1,000 people and provided more than \$165 million in insurance policies. Under Mr. Spaulding's leadership, the

North Carolina Mutual Life Insurance Company became the largest black-owned business in the country.

One of the best-known African American entrepreneurs in this country was Madame C.J. Walker, who rose from poverty to become a millionaire. Born Sarah Breedlove to a poor farming family in Delta, Louisiana in 1867, she was orphaned when she was 6 years old and was raised by her older sister. She was married when she was 14, had a daughter several years later, and became a widow when she was 20. She worked as a washerwoman to support herself and her daughter for a number of years. In 1905, she developed a hair conditioner and a metal comb for straightening hair. She began selling her hair care products and other cosmetics door to door in Saint Louis, but as she became successful she developed other marketing approaches—mail order sales, franchised sales agents, and lecture tours—that allowed her business to expand to many parts of the South and the East. In 1910, Madam C.J. Walker moved her operations to Indianapolis, where she set up a large manufacturing facility. By the time she passed away in 1919, she was one of the most successful business women in the country. She used her wealth to support the NAACP, homes for the elderly and the needy, and educational opportunities for African Americans.

Another successful business woman born just after the Civil War was Maggie Lena Walker. A native of Richmond, VA, Maggie Lena Walker graduated from high school despite the early death of her stepfather. She went on to teach in a public school, work as an insurance agent, and take business courses in accounting and salesmanship. She worked her way up the hierarchy of a fraternal insurance cooperative known as the Grand United Order of St. Luke. The Order provided health and burial benefits for its members. In 1899, Mrs. Walker was named executive secretary-treasurer of this organization, and she changed its name to the Independent Order of St. Luke. Under her management, the organization grew substantially. In 1903, she established the St. Luke Penny Savings Bank and became its president. The St. Luke Penny Savings Bank grew steadily, and in 1929, it absorbed the other African American banks in Richmond under the name of the Consolidated Bank and Trust Company. Mrs. Walker served as the chairman of the Consolidated Bank and Trust Company's board of directors until her death in 1934. She organized and supported several large philanthropic organizations, and she was active in the state NAACP.

Robert L. Vann was born in the late 1800s into a poor farming family in rural North Carolina. Mr. Vann steadfastly pursued his education—working his way through school and earning a law degree from the University of Pittsburgh in 1909. In 1910, he was the motivating force behind the establishment of the Pittsburgh Courier, a newspaper serving the African American community. Over the following 2 years, Mr. Vann acquired sole control of the paper and became its editor. The paper grew substantially, and its success allowed Mr. Vann to become involved in politics. He served as Assistant City Solicitor for the City of Pittsburgh from 1917 until 1921. He served as national director of outreach efforts to the African American community for the Republican presidential campaigns of 1920, 1924, and 1928. In the presidential campaign of

1932, he used his influence to encourage black voters to support Franklin Roosevelt, and as a result of his efforts he served in several capacities in the Roosevelt Administration, where he worked to increase African Americans' political power. Mr. Vann used his influence, for example, to push for racial equality in the U.S. armed forces. After leaving the administration, Mr. Vann returned to the Pittsburgh Courier, where he urged African Americans to refrain from making an allegiance with either political party. He believed that African Americans would enjoy greater political power if their votes could not be taken for granted by either political party.

Archie A. Alexander was born in Iowa in 1888. His father was a janitor. Mr. Alexander worked his way through college—studying engineering despite efforts to discourage him from pursuing this profession. He graduated from the University of Iowa in 1912 with a B.S. in civil engineering. In 1914, he set up an engineering firm, Alexander and Higbee, at the age of 26. The firm did well. Mr. Alexander continued the business on his own for several years after the death of his partner, but in 1929 he joined one of his university classmates to establish the firm of Alexander and Repass. Their business flourished, and they won and completed large projects across the country. In 1954, President Eisenhower appointed Mr. Alexander Governor of the U.S. Virgin Islands.

John H. Johnson, the noted African American publisher, was born in Arkansas, but his family moved to Chicago when he was 15 years old. His hard work in school led to an opportunity that changed his life. He was selected to speak at the 1936 Chicago Urban League banquet honoring high school seniors. His speech so impressed the main speaker, the president of the Supreme Liberty Life Insurance Company of Chicago, that he was hired to work in the company's offices. For the next four years, Mr. Johnson worked in the company's offices and studied at the University of Chicago and Northwestern University. When Mr. Johnson completed college, he went to work full-time for Supreme Liberty. In the course of his work, Mr. Johnson realized that many African Americans would be interested in buying a publication containing news about African Americans and the African American community. In 1942, he began publishing and selling a magazine named *Negro Digest*. The demand for this new publication was impressive. Circulation rose to more than 100,000 readers in a few short years. Mr. Johnson followed up on this success with other publications. In 1945, he brought out *Ebony* magazine, and in 1951, he introduced *Jet*. Today, he is one of America's leading publishers.

These are just a few of the more prominent African American entrepreneurs from the past 200 years. Many African Americans have successfully overcome adversity, financial challenges, and discrimination to create successful businesses. Many of these successful black entrepreneurs identified and addressed needs in the African American community that white businesses had ignored or disdained—but others like Paul Cuffee, James Forten, William Leidesdorff, and Archie Alexander competed head-to-head with white businesses quite profitably. In either case, the individuals I have mentioned were able to use their business successes to pursue social or political ends.

The interesting question is how much more these entrepreneurs could have achieved had they not faced the widespread racism and race-based legal restrictions of their times.

Today, opportunities exist both within the black community and within the larger society for African American businesses to develop and grow. As we celebrate Black History Month, I believe that we should rededicate ourselves to the expansion of economic opportunities for African Americans and other minorities. Such efforts must go beyond the speeches we give here today. I believe that affirmative action and government programs that help develop minority-owned small businesses are still needed to create a "level playing field"—they are needed to offset the impact of residual racism in our society, and to offset the effects of decades of discrimination. I urge my colleagues to act to protect, expand, and improve federal efforts to guarantee economic and educational opportunity to all Americans.

NATIONAL SEA GRANT COLLEGE PROGRAM REAUTHORIZATION ACT OF 1998

SPEECH OF

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Mr. SENSENBRENNER. Mr. Speaker, I rise today in support of the amendment to S. 927, The National Sea Grant College Program Reauthorization Act of 1998. I think that it is especially appropriate that we bring this bill before the House early in 1998, which has been designated by the United Nations as the "Year of the Ocean." I can think of no better way to enter into the spirit of this designation than by passing the Sea Grant bill before us today.

Thirty-two years ago, the National Sea Grant College Program was established by Congress to improve our understanding of the nation's marine environment and to manage marine resources better. Since then, ocean and marine science hasn't stood still, and neither should the Sea Grant program. This latest reauthorization bill is the fruit of a bipartisan effort between the Committee on Science and the Committee on Resources to update and reinvigorate the Sea Grant program and to improve the accountability of the program to the taxpayers. I believe this bill achieves both of these goals, and I urge my colleagues on both sides of the aisle to support it.

This five-year reauthorization is not much different from the H.R. 437, which passed the House overwhelmingly last June. It adds and modifies various definitions, clarifies the responsibilities of the Program Director, and outlines the duties of the Sea Grant institutions conducting Sea Grant programs. It also includes merit reviews of grant and contract applications, repeals the Sea Grant International Program, which has never been funded, and ensures peer review of research sponsored by Sea Grant. Moreover, by limiting administrative spending to no more than 5 percent of the lesser of the amount authorized or appropriated each fiscal year, the bill also will help ensure that the taxpayers' money is being spent on research, not red tape.

In addition to the base authorization for the Sea Grant program, the bill includes additional

authorizations for competitive, peer-reviewed research into the problems of zebra mussels, oyster disease, and *phiesteria*. I don't have to tell you how these organisms have plagued many communities throughout America and of the economic losses they have caused. This bill will help us get the best scientific minds working to improve our understanding of these problems and to find solutions.

The Sea Grant program has contributed greatly to our knowledge of the marine environment these past three decades and has earned the support of the political and scientific community. I believe the bill the Science and Resources Committees have crafted will put the program on a sound footing for the future and, just as important, will provide the taxpayer with value for money. I urge my colleagues to support it.

Before closing, I would like to commend the gentleman from California [Mr. CALVERT], Chairman of the Science Committee's Subcommittee on Energy and the Environment, and the subcommittee's ranking member, the gentleman from Indiana [Mr. ROEMER], for their hard work on this legislation. I would also like to thank the ranking member of the Science Committee, the gentleman from California [Mr. BROWN], for his support throughout the process.

I also want to take a moment to thank the gentleman from Alaska, the Chairman of the Committee on Resources [Mr. YOUNG], and his colleagues on the Committee on Resources, including the gentleman from California [Mr. MILLER], the ranking member of the committee; the gentleman from New Jersey [Mr. SAXTON], Chairman of the Subcommittee on Fisheries, Conservation, Wildlife, and Oceans; and the gentleman from Hawaii [Mr. ABERCROMBIE], the subcommittee's ranking member. They can be proud of their handiwork.

IMPORTANCE OF RENEWABLE ENERGY IN THE UTILITY RESTRUCTURING DEBATE

HON. SCOTT L. KLUG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. KLUG. Mr. Speaker, legislation allowing all consumers to choose their electricity provider has been the subject of ongoing discussion during the past two sessions of Congress. It continues to be a topic that engages Congress and the American public. A majority of voters favor Congress requiring electricity companies to use renewable energy sources. In fact, almost 70% favor requiring utilities to invest in energy efficient programs. And, given a choice, 78% of Americans would be willing to pay more for non-polluting, environmentally-friendly electric power.

With this mandate, I was honored yesterday to submit a letter to Chairman BILEY and Ranking Member DINGELL, signed by myself and 105 of my colleagues from both sides of the aisle, urging that renewable energy remain part of the overall discussion on utility restructuring. I include this letter and the list of co-signors in the record and commend it to your attention. Thank you very much.

CONGRESS OF THE UNITED STATES,
Washington, DC, February 11, 1998.

Hon. TOM BLILEY,
Hon. JOHN D. DINGELL,
Committee on Commerce, House of Representatives,
Washington, DC.

DEAR CHAIRMAN BLILEY AND REPRESENTATIVE DINGELL: Maintaining a renewable energy option for America has been a public policy supported by the past four Republican and Democratic Administrations and by large bipartisan majorities in the Congress. This is so because America's clean and domestic renewable energy resources help create U.S. jobs, contribute to a cleaner environment and healthier citizenry, and strengthen U.S. energy security by increasing America's diversity of domestic fuel supplies.

As the U.S. electricity industry undergoes change, we want to reiterate our strong support for maintaining America's renewable energy option. We urge that, when the Commerce Committee moves forward with electric industry restructuring legislation, such legislation contains provisions ensuring that the American people will continue to benefit from an increased utilization of clean and domestic renewable energy resources.

Thank you for considering this request.

Sincerely,

SCOTT KLUG.
DAVID MINGE.
MATT SALMON.
KAREN THURMAN.

LIST OF MEMBERS SIGNING RENEWABLE
ENERGY LETTER

Scott Klug, (R-WI); Matt Salmon, (R-AZ); David Minge, (D-MN); Karen Thurman (D-FL); Sander Levin, (D-MI); Sherwood Boehlert, (R-NY); Lucille Roybal-Allard, (D-CA); Constance Morella, (R-MD); Benjamin Cardin, (D-MD); John Lewis, (D-GA); Wayne Gilchrest, (R-MD); Vernon Ehlers, (R-MI); Peter DeFazio, (D-OR); Ronald Dellums, (D-CA); Benjamin Gilman, (R-NY); Sue Kelly, (R-NY); Sue Kelly, (R-NY); Sam Farr, (D-CA); Earl Blumenauer, (D-OR); Collin Peterson, (D-MN); Edolphus Towns, (D-NY); Lynn Woolsey, (D-CA); Maurice Hinchey, (D-NY); John Ensign, (R-NV); Lynn Rivers, (D-MI); Nita Lowey, (D-NY); Patrick Kennedy, (D-RI); Tim Holden, (D-PA); Bud Cramer, (D-AL); Chris John, (D-LA); Jane Harman, (D-CA); Jose Serrano, (D-NY); Frank Riggs, (R-CA); John Edward Porter, (R-IL); Ed Pastor, (D-AZ); Jon Fox (R-PA); Ellen Tauscher, (D-CA); Owen Pickett, (D-VA); Jim Turner, (D-TX); Roscoe Bartlett, (R-MD); Gary Ackerman, (D-NY); Pasty Mink, (D-HI); James McGovern, (D-MA); James Walsh, (R-NY); James Greenwood, (R-PA); John Shimkus, (R-IL); Elizabeth Furse, (D-OR); Earl Pomeroy, (D-ND); William Delahunt, (D-MA); Christopher Shays, (R-CT); Marion Berry, (D-AR); F. Allen Boyd, Jr., (D-FL); Henry Waxman, (D-CA); Sony Bono, (R-CA); Michael Castle, (R-DE); Tom Campbell, (R-CA); Lane Evans, (D-IL); Dale Kildee, (D-MI); Vic Fazio, (D-CA); Nathan Deal, (R-GA); Edward Markey, (D-MA); Bob Filner, (D-CA); Ray LaHood, (R-IL); James Oberstar, (D-MN); Barney Frank, (D-MA); John LaFalce, (D-NY); George Brown, (D-CA); Frank Pallone, (D-NJ); Martin Olav Sabo, (D-MN); Howard Berman, (D-CA); Esteban Torres, (D-CA); James Rogan, (R-CA); Mark Foley, (R-FL); George Miller, (D-GA); Bruce Vento, (D-MN); Jim McDermott, (D-WA); Jim Leach, (R-IA); Robert Scott, (D-VA); Eva Clayton, (D-NC); Robert Pelosi, (D-CA); Leonard Boswell, (D-IA); Martin Meehan, (D-MA); Lloyd Doggett, (D-TX); James Clyburn, (D-SC); Bart Stupak, (D-MI); David Skaggs, (D-CO); David Bonior, (D-MI); Nancy Johnson, (R-CT); Jim Davis, (D-FL); Jerrold Nadler, (D-NY); Dennis Kucinich, (D-OH); Bill Barrett, (R-NE); Dar-

lene Hooley, (D-OR); Bob Franks, (R-NY); John Olver, (D-MA); Thomas Ewing (R-IL); Caroylyn Maloney, (D-NY); Jim Kolbe (R-AZ); Jay Dickey, (R-AR); Rick Lazio, (R-NY); Barbara Kennelly, (D-CT); Rober Matsui, (D-CA); Bob Clement, (D-TN); Joseph Kennedy II, (D-MA); Tom Davis, (R-VA); Zoe Lofgren, (D-CA); Tom Lantos, (D-CA).

YORK COUNTY LITERACY COUNCIL

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. GOODLING. Mr. Speaker, I am pleased to recognize the efforts of the York County Literacy Council on their "Buck A Book Week." This annual event was established in 1993 with the help of one of York County's radio stations, WSBA. The event has been highly successful in motivating people to read and in bringing new public awareness to the issue of literacy.

Literacy is the backbone of an education. I believe the York County Literacy Council and all the Literacy Councils in my district have done an excellent job in improving literacy. Their mission has been to serve adults who lack basic skills in reading, writing, and mathematics, and to improve collaboration among service providers. The "Buck A Book Week" certainly exemplifies their proactive approach to addressing the problem of illiteracy.

I believe illiteracy is one of the most serious problems facing our country. It seriously restricts the ability of individuals to participate effectively in the workforce. It has been estimated that up to 90 percent of those entering Federal training and employment programs without a high school diploma have serious literacy problems. In contrast, individuals who demonstrate higher levels of literacy skills tend to avoid long periods of unemployment, earn higher wages and work in higher skilled occupations than those at the lowest levels.

Mr. Speaker, through quality, innovative programs and the diligent efforts of individuals and community organizations such as the York County Literacy Council, the Central Pennsylvania Literacy Council, and the Adams County Literacy Council, the tragedy of illiteracy may one day become a thing of the past. I applaud these Councils on their efforts and commend them on a job well done.

THE 1996 TELECOMMUNICATIONS
ACT: BLUNTED BY THE BU-
REAUCRACY

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. DELAY. Mr. Speaker, the biggest problem with the 1996 Telecommunications Act isn't the way it was drafted, it's the way the bureaucrats at the Federal Communications Commission (FCC) have decided to implement it.

Much of what the FCC has done has been reversed on appeal by the courts, or pulled back for reconsideration by the FCC itself. The law has been good for Washington lawyers and economists. It has been great for the

paper industry. But from the public's standpoint, the new law hasn't delivered on its promises.

Maybe our basic mistake was to place an independent regulatory agency in charge of trying to promote competition. If Congress had relied on the Washington bureaucracy, instead of the marketplace, to foster competition in the airline, surface transportation, energy or banking fields, we would still be waiting for true competition in those areas.

You don't need 3 years in law school to figure out that Congress expected results. Throughout the 1996 Act, Congress imposed 90-day deadlines on the FCC to act. Why would Congress establish deadlines like that if the result were no long distance applications accepted by the FCC?

The FCC has new leadership today. Four of the five FCC Commissioners are new. It seems to me that the agency's approach over the past 2 years has been wrong. They need to try a different approach.

Mr. Speaker, I don't have any magic solutions. Coming up with solutions, after all, is why we have a FCC. Congress and the American public didn't support communications reform just to help the Washington lawyers. Something needs to be done, and soon.

COMMENDING VOLUNTEER EF-
FORTS DURING THE SUPER-
TYPHOON PAKA

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. UNDERWOOD. Mr. Speaker, on December 16, Super typhoon Paka destroyed or severely damaged more than 8,000 homes, injuring more than 200 people and leaving more than 3,000 families homeless. Of the homeless, more than 1,000 required temporary housing immediately. To the relief of these people, the Government of Guam Disaster Housing Office was quick to respond. The Liheng-ta Facility was put up to temporarily house the over 1,000 individuals who needed temporary shelter.

I rise today to commend and congratulate a number of individuals who have distinguished themselves in the midst of the most recent natural disaster to hit the island of Guam. I would like to submit for the record the names of the people who made this all possible, some of whom are still working at the facility as we speak.

First of all, I would like to make mention of people who managed the shelters: Mr. Robert Kelley, the director of the Disaster Housing Office; Jordan Kaye, the administrator of the Liheng-ta Facility; Ms. Marcia V. Mesa, the head nurse; and the staff officers: Cecilia S. Delgado; Doris Young; Frank D. Santos, Jr.; Greg S. Massy; Francis L.G. Damian; Isabel J. Gawel; Teresita D. Finona; Frances Diaz; David R. Duenas.

Lt. L.F. Castro was the Officer in Charge of the police officers tasked to provide security. Working under him were Sgt. II T.P. Tenorio, Operations Sergeant; Sgt. I M.P. Salas; Sgt. I D.C. Acfalle; PO3 P.H. Villanueva; PO3 M.J. Sayama; PO3 R.P. Fernandez; PO3 M.L. Mendoza; PO2 G.S. Topasna; PO2 K.S. Espinosa; PO2 M.M. Muna; PO2 W.J. Penn;

PO2 A.J. Balajadia; PO2 P.T. Atoigue; PO2 A.B. Quitugua; PO2 J.C. Borja; PO3 D.J. Arceo; PO2 H.C. Flores; PO2 A.R.B. Pierce; CO/SGT. M.A. Reyes; D/L P.R. Manley; D/L N.J. Gogo; CO1 R.L. Delfin; CO1 P.C. Aguon; CO1 M.G. Villagomez; CO1 M.D. Aguon; CO1 F.C. Quinata; DO R.L. Blas; DO J.C. Tedtaotao; P/RCT. P.R. Blas; P/RCT. D.D. Cepeda; P/RCT. J.S. Babauta; and P/RCT. R.M. Lujan.

Last but not least, I would like to commend the men and women of the Guam Air and Army National Guard and the Army Reserves for the invaluable service they provided. It was Guam's citizen soldiers and airmen who prepared and maintained the facilities. They made sure that the buildings were safe, in good condition and provided hot meals for the residents.

These men and women came from every corner of the island. Through their sense of duty, they supported and aided those who had been less fortunate. For this they should be honored and recognized. Si Yu'os Ma'ase for

your public service to the victims of Typhoon Paka.

PRESIDENT'S BUDGET AND SOCIAL SECURITY

HON. DAVID M. MCINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 12, 1998

Mr. MCINTOSH. Mr. Speaker, the President, in his State of the Union address, told the American people that he intends to devote the entire budget surplus to saving Social Security. But, the American people should know that so far his actions have not been consistent with the promise.

In fact, in his recent budget, the President has proposed to spend more on the Federal bureaucracy. That's more money for big government in Washington, D.C., not for saving Social Security and certainly not back in the

pockets of hard-working Americans where it belongs.

The President proposed a 3% increase, on average, in the budgets of the 26 Federal agencies under my Subcommittee's jurisdiction alone. For some agencies the increases were larger than others—11% more for the Department of Energy and 9% more for the EPA. (I have a chart detailing the President's requests for these 26 agencies which I would like to insert into the record.) I doubt many Americans would consider it a priority to send more money to these already-bloated agencies, which will use it to create more government red tape.

Mr. Speaker, we in the Congress must not allow the President to get away with this slight of hand—he is trying to secretly use the surplus to increase big government, but get credit for using it to save Social Security. The President needs to tell the truth to the American people—they deserve to know how their money is spent.

ANALYSIS OF BUDGET REQUESTS FOR AGENCIES UNDER CONGRESSMAN MCINTOSH'S OVERSIGHT¹

[Budget Authority in millions²]

Department/Independent Agency	Fiscal year 1997 actual	Fiscal year 1998 budget estimate	Fiscal year 1999 budget request	Percent change fiscal year 1998-99
USDA	60,876	55,859	57,435	2.8
DOD/Army Corps of Engineers	4,157	4,098	3,258	20.5
DOC	3,759	4,149	4,955	19.4
DOE	14,082	14,458	16,063	11.1
DOI	7,411	7,926	7,867	-0.7
DOT (including Surface Transportation Board)	40,208	42,058	42,610	1.3
DOT/Surface Transportation Board	12	14		
Treasury	380,179	389,289	401,037	3.0
ARC	160	170	67	-60.6
CEA/EOP	3	4	4	0
CEQ/EOP	2	3	3	0
CFTC	55	58	63	8.6
CPSC	42	45	46	2.2
EPA	6,478	7,176	7,787	8.5
Export-Import Bank of the US	758	696	825	18.5
FDIC	-26	-44	-51	-15.9
FTC	26	24	27	12.5
NCUA	1	1		-100.0
NTSB	79	49	48	2.0
NRC	18	19	22	15.8
OPIC/CIDA	-112	-175	-176	-0.6
SEC	-62	-50	-5	90.0
SBA	838	186	680	265.6
TVA	-291	-841	-946	-12.5
USITC	41	41	46	12.2
U.S. Trade & Development Agency	54	42	50	19.0
USTR/EOP	21	23	25	8.7
Total ⁴	518,757	525,264	541,740	3.1

¹ The Delaware River Basin Commission, Freddie Mac, the Susquehanna River Basin Commission, and the Thrift Depositor Protection Oversight Board are not included in the President's Budget because they are classified as being private; the Federal Reserve System is not included in the President's Budget because of its unique status in the conduct of monetary policy.

² Source: Analytical Perspectives, Budget of the U.S. Government Fiscal Year 1999.

³ Treasury, USDA, and DOT account for 92.5% of the FY 99 budget request under Congressman McIntosh's oversight.